



# *The Journal* OF THE *House of Representatives*

Number 27

Tuesday, February 28, 2012

The House was called to order by the Speaker at 10:00 a.m.

## Prayer

The following prayer was offered by Father Christopher LeBlanc of Co-Cathedral of St. Thomas More of Tallahassee, upon invitation of Rep. Rehwinkel Vasilinda:

My friends, God is love. In the desire to make us share in this love, He sent His son into the world to come to our aid, and in gentle kindness, to help those who were weak, sick, or unfortunate. In His great love for all of us, Christ said that, Whatever we do for the least among us, we do for Him. He called those who show mercy blessed of His Father and promised them eternal life.

Let us then pray in moment of silence for the Lord's richest blessings on the members of this House of Representatives who are devoted to helping their brothers and sisters. Blessed are You, Lord, God of mercy. Send down Your blessings on these, Your servants, who so generously devote themselves to helping others. When they are called on in times of need, let them faithfully serve You in their neighbor. May God strengthen you and bring your work to completion. May God's abiding presence be with you all the days of your life. Amen.

The following members were recorded present:

Session Vote Sequence: 919

Speaker Cannon in the Chair.

Abruzzo	Crisafulli	Hudson	Perman
Adkins	Cruz	Hukill	Perry
Ahern	Davis	Ingram	Pilon
Albritton	Diaz	Jenne	Plakon
Artiles	Dorworth	Jones	Porter
Aubuchon	Drake	Julien	Porth
Baxley	Eisnagle	Kiar	Precourt
Bembry	Ford	Kreegel	Proctor
Berman	Fresen	Kriseman	Ray
Bernard	Frishe	Legg	Reed
Bileca	Fullwood	Logan	Rehwinkel Vasilinda
Boyd	Gaetz	Lopez-Cantera	Renuart
Brandes	Garcia	Mayfield	Roberson, K.
Brodeur	Gibbons	McBurney	Rogers
Broxson	Glorioso	McKeel	Rooney
Bullard	Gonzalez	Metz	Rouson
Burgin	Goodson	Moraitis	Sands
Caldwell	Grant	Nehr	Saunders
Campbell	Grimsley	Nelson	Schenck
Cannon	Hager	Nuñez	Schwartz
Chestnut	Harrell	O'Toole	Slosberg
Clemens	Harrison	Oliva	Smith
Coley	Holder	Pafford	Snyder
Corcoran	Hooper	Passidomo	Soto
Costello	Homer	Patronis	Stafford

Stargel	Tobia	Weatherford	Workman
Steube	Trujillo	Weinstein	Young
Taylor	Van Zant	Williams, A.	
Thompson, G.	Waldman	Williams, T.	
Thurston	Watson	Wood	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

## Pledge

The members, led by the following, pledged allegiance to the Flag: Trent Hatcher of Valrico at the invitation of Rep. Steube; Haley Hinkofer of Lantana at the invitation of Rep. Perman; Heather Hofstee of Fort Pierce at the invitation of Rep. Harrell; and Jacob Johnson of Madison at the invitation of Rep. Bembry.

## Correction of the *Journal*

The *Journal* of February 27 was corrected and approved as corrected.

## Reports of Standing Committees and Subcommittees

### Reports of the Rules & Calendar Committee

*The Honorable Dean Cannon*  
*Speaker, House of Representatives*

February 23, 2012

*Dear Mr. Speaker:*

Your Rules & Calendar Committee herewith submits the Special Order for Tuesday, February 28, 2012. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

### I. Consideration of the following bills:

CS/CS/HB 937 - Economic Affairs Committee, State Affairs Committee, & others  
Legal Notices

CS/CS/HB 19 - Education Committee, K-20 Competitiveness Subcommittee, & others  
Public School Buses

CS/HB 945 - Appropriations Committee, Holder, & others  
Broadband Internet Service

HB 1513 - Schenck

Spring Hill Fire Rescue and Emergency Medical Services District, Hernando County

CS/HB 7097 - Economic Affairs Committee, Finance & Tax Committee, & others  
Administration of Property Taxes

HB 1183 - Kreegel  
East County Water Control District, Lee and Hendry Counties

CS/CS/CS/HB 725 - Economic Affairs Committee, Government Operations Appropriations Subcommittee, & others  
Insurance Agents and Adjusters

CS/CS/HB 1343 - Finance & Tax Committee, PreK-12 Appropriations Subcommittee, & others  
Discretionary Sales Surtaxes

CS/HB 7085 - Education Committee, K-20 Competitiveness Subcommittee, & others  
Voluntary Prekindergarten Education Program

CS/CS/HB 921 - Judiciary Committee, Civil Justice Subcommittee, & others  
Landlords and Tenants

CS/CS/CS/HB 1163 - Health & Human Services Committee, Appropriations Committee, & others  
Adoption

CS/HB 867 - Community & Military Affairs Subcommittee, Hooper  
City of Clearwater, Pinellas County

CS/HB 593 - Community & Military Affairs Subcommittee, Mayfield  
North St. Lucie River Water Control District, St. Lucie County

HB 601 - Mayfield  
Sebastian Inlet Tax District, Brevard and Indian River Counties

CS/HB 619 - Community & Military Affairs Subcommittee, Mayfield  
Fort Pierce Farms Water Control District, St. Lucie County

CS/CS/HB 1081 - Health & Human Services Committee, Health & Human Services Quality Subcommittee, & others  
Controlled Substances

CS/HB 7047 - Judiciary Committee, Criminal Justice Subcommittee, & others  
Sex Offenses

CS/CS/HB 431 - Judiciary Committee, K-20 Competitiveness Subcommittee, & others  
Joint Use of Public School Facilities

HB 975 - Nehr  
Pasco County Housing Authority, Pasco County

CS/HB 699 - Community & Military Affairs Subcommittee, Nehr  
East Lake Tarpon Community, Pinellas County

CS/CS/HB 1101 - Economic Affairs Committee, Insurance & Banking Subcommittee, & others  
Insurance

CS/HB 1323 - Criminal Justice Subcommittee, Drake, & others  
Metal Theft

CS/CS/HB 1419 - Health & Human Services Committee, Health & Human Services Quality Subcommittee, & others  
Health Care Facilities

CS/CS/HB 1021 - State Affairs Committee, Criminal Justice Subcommittee, & others  
Agriculture

CS/CS/HB 1223 - Economic Affairs Committee, Transportation & Highway Safety Subcommittee, & others  
Highway Safety and Motor Vehicles

CS/HB 1495 - Community & Military Affairs Subcommittee, Albritton  
Spring Lake Improvement District, Highlands County

CS/CS/HB 1173 - Judiciary Committee, Criminal Justice Subcommittee, & others  
Criminal Gang Prevention

## II. Consideration of the following bills:

CS/CS/HB 213 - Judiciary Committee, Civil Justice Subcommittee, & others  
Mortgage Foreclosures

HB 7121 - Rulemaking & Regulation Subcommittee, Articles  
Ratification of Rules

CS/HB 1059 - K-20 Competitiveness Subcommittee, Perry, & others  
Background Screening for Noninstructional Contractors on School Grounds

CS/CS/HB 979 - Economic Affairs Committee, Community & Military Affairs Subcommittee, & others  
Developments of Regional Impact

CS/HB 37 - Criminal Justice Subcommittee, Diaz, & others  
Knowingly and Willfully Giving False Information to a Law Enforcement Officer

CS/CS/HB 1299 - Finance & Tax Committee, Community & Military Affairs Subcommittee, & others  
North Lake County Hospital District, Lake County

CS/CS/HB 947 - Judiciary Committee, Criminal Justice Subcommittee, & others  
Possession of a Firearm or Destructive Device During the Commission of an Offense

CS/HB 267 - Community & Military Affairs Subcommittee, Hudson  
East Naples Fire Control and Rescue District, Collier County

CS/CS/HB 681 - Economic Affairs Committee, Transportation & Highway Safety Subcommittee, & others  
Interlock Ignition Devices Ordered for Probation for DUI

HB 13 - Frishe, Harrell  
Sovereignty Submerged Lands

CS/HB 133 - Energy & Utilities Subcommittee, Frishe, & others  
Assessment of Residential and Nonhomestead Real Property

CS/HB 869 - Community & Military Affairs Subcommittee, Frishe, & others  
Pinellas Planning Council, Pinellas County

CS/CS/CS/HB 999 - State Affairs Committee, Appropriations Committee, & others  
Onsite Sewage Treatment and Disposal Systems

CS/CS/HB 1099 - Judiciary Committee, Criminal Justice Subcommittee, & others  
Stalking

CS/CS/HB 651 - Economic Affairs Committee, Business & Consumer Affairs Subcommittee, & others  
Building Construction and Inspection

CS/HB 575 - Community & Military Affairs Subcommittee, Young  
Hillsborough County Aviation Authority

HB 577 - Young, Cruz  
City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County

HB 4175 - Rooney  
Palm Beach County

HM 611 - Smith  
Kings Bay

CS/HB 637 - Community & Military Affairs Subcommittee, Smith  
Citrus County

CS/CS/HB 959 - State Affairs Committee, Government Operations Subcommittee, & others  
State and Local Government Relations with Cuba or Syria

CS/HB 1117 - Agriculture & Natural Resources Subcommittee, Harrison, & others  
Conservation of Wildlife

HB 605 - Harrison  
Hillsborough County

CS/CS/CS/HB 319 - Judiciary Committee, Business & Consumer Affairs Subcommittee, & others  
Residential Properties

CS/HB 609 - Judiciary Committee, Goodson  
Wage Protection for Employees

CS/CS/CS/HB 799 - Education Committee, Health Care Appropriations Subcommittee, & others  
Physical Therapy

CS/HB 1033 - Community & Military Affairs Subcommittee, Ahern  
Lealman Special Fire Control District, Pinellas County

CS/HB 435 - Community & Military Affairs Subcommittee, Porter  
Gilchrist County

CS/CS/CS/HB 455 - Judiciary Committee, Appropriations Committee, & others  
Sex Offenses

CS/CS/HB 1383 - Appropriations Committee, Agriculture & Natural Resources Subcommittee, & others  
Fish and Wildlife Conservation Commission

HB 7125 - Economic Affairs Committee, Roberson, K.  
Exemptions from Local Business Taxes

HB 665 - Roberson, K.

Gasparilla Island Bridge Authority, Charlotte and Lee Counties

CS/HB 5 - Criminal Justice Subcommittee, Weinstein, & others  
Juvenile Offenders

CS/HB 1417 - Government Operations Subcommittee, Oliva  
State Investments

CS/HB 173 - Criminal Justice Subcommittee, Pilon, & others  
Department of Juvenile Justice

CS/CS/CS/CS/HB 481 - Judiciary Committee, Justice Appropriations Subcommittee, & others  
Clerks of Court

CS/CS/HB 751 - Health & Human Services Committee, Health & Human Services Quality Subcommittee, & others  
Prescription Drugs

CS/CS/HB 233 - Judiciary Committee, Criminal Justice Subcommittee, & others  
Misdemeanor Probation Services

HB 1483 - Chestnut  
Alachua County

CS/HB 1255 - Economic Affairs Committee, Abruzzo  
Acme Improvement District and Lake Worth Drainage District, Palm Beach County

HB 1301 - Abruzzo  
City of West Palm Beach, Palm Beach County

HB 1325 - Abruzzo  
City of West Palm Beach, Palm Beach County

CS/HB 1481 - Community & Military Affairs Subcommittee, Abruzzo  
Loxahatchee Groves Water Control District, Palm Beach County

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,  
*Gary Aubuchon*, Chair  
Rules & Calendar Committee

On motion by Rep. Aubuchon, the above report was adopted.

## Bills and Joint Resolutions on Third Reading

Consideration of **CS/CS/HB 565** was temporarily postponed.

## Special Orders

**CS/CS/HB 937**—A bill to be entitled An act relating to legal notices; creating s. 50.0211, F.S.; requiring that, after a specified date, if a legal notice is published in a newspaper, the newspaper publishing the notice shall also place the notice on a website maintained by the newspaper, at no additional charge; providing requirements for size and placement of such website publication; requiring free access to such online publications; requiring that legal notices published in newspapers also be published on another specified website; requiring that, after a specified date, newspapers that publish legal notice must provide e-mail notification of new legal notices; providing requirements for such notice; providing that an error on a newspaper or statewide website shall be considered a harmless error and legal notice requirements shall be considered met if the notice published in the newspaper is correct; amending s. 50.041, F.S.; revising physical requirements for proof

of publication affidavits; authorizing electronic affidavits that meet specified requirements; amending s. 50.061, F.S.; limiting the rate that may be charged for government notices required to be published more than once in certain circumstances; deleting provisions specifying rates for legal notices based on county population; specifying that if a public notice is published in a newspaper, publication of a notice on a website pursuant to specified provisions must be done at no charge; amending ss. 125.66, 166.041, 190.005, and 200.065, F.S.; requiring that website publication of certain legal notices include maps that appear in the newspaper advertisements; amending s. 17.325, F.S.; making it optional for the Chief Financial Officer to advertise the availability of the governmental efficiency hotline; amending s. 215.68, F.S.; deleting specific criteria for publishing certain bond notices; amending ss. 120.60, 215.555, 253.52, 255.518, and 380.0668, F.S.; deleting requirements that certain legal notices be published in Leon County; amending s. 455.275, F.S.; deleting a requirement that certain notices concerning professional licensees who cannot be personally served be published in Leon County; requiring that plain notice to the licensee to be posted on the front page of the Department of Business and Professional Regulation's website and provided to certain news outlets; amending s. 473.3141, F.S.; deleting a requirement that notices concerning discipline of certain certified public accountants be published in Leon County; amending s. 527.23, F.S.; deleting requirements relating to the newspaper publication of certain notices relating to marketing orders for propane gas; providing for Internet publication of such orders and for providing information to certain news outlets; amending ss. 573.109 and 573.111, F.S.; deleting requirements relating to the newspaper publication of certain notices relating to agricultural marketing orders; providing for Internet publication of such orders and for providing information to certain news outlets; amending s. 631.59, F.S.; deleting requirements for the newspaper publication of certain notices concerning insolvent insurers; providing for notice by e-mail or telephone; providing applicability; providing effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 19**—A bill to be entitled An act relating to public school buses; amending s. 1006.25, F.S.; providing for district school board policies that authorize commercial advertisements on school buses; providing policy requirements relating to reimbursement to the school district, prohibited advertisements, and signage and equipment standards; requiring a school bus to be withdrawn from use under certain circumstances; providing for the remittance and allocation of revenue; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 945**—A bill to be entitled An act relating to broadband Internet service; amending s. 364.0135, F.S.; revising provisions to promote adoption of broadband Internet service; providing for the Department of Economic Opportunity to receive and manage certain federal funds; directing the department to establish a public-private partnership to perform certain functions; authorizing the department to accept certain funds, enter into contracts, and establish committees and workgroups for certain purposes; authorizing the department to adopt rules; removing authority of the Department of Management Services to perform certain functions; providing for a type two transfer of the Broadband Initiative Program from the Department of Management Services to the Department of Economic Opportunity; requiring the Department of Management Services to submit to the United States Department of Commerce a request to transfer its federal broadband grant to the Department of Economic Opportunity; requiring the Department of Management Services to notify the Governor and Legislature of the decision of the United States Department of Commerce; requiring the Department of Management Services, if the request is approved, to submit a budget amendment for approval by the Legislative Budget Commission to transfer from the department to the Department of Economic Opportunity the funds necessary to implement this act; providing a contingent effective date.

—was read the second time by title.

Representative A. Williams offered the following:

(Amendment Bar Code: 694557)

**Amendment 1**—Remove line 126 and insert:

Economic Opportunity. For purposes of this section, the term "pending issues" shall include any pending request for proposals or other competitive procurement process initiated by the Department of Management Services for purposes of implementing the Broadband Initiative Program, which process shall not be subject to termination.

Rep. A. Williams moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 1513**—A bill to be entitled An act relating to the Spring Hill Fire Rescue and Emergency Medical Services District, Hernando County; repealing chapters 2010-264 and 2009-261, Laws of Florida; abolishing the district; transferring all assets and liabilities of the district to Hernando County; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 7097**—A bill to be entitled An act relating to the administration of property taxes; amending s. 192.001, F.S.; revising the definitions of the terms "assessed value of property" and "complete submission of the rolls"; amending s. 192.0105, F.S.; providing that a taxpayer has a right to have a hearing before the value adjustment board rescheduled if the hearing is not commenced within a certain period after the scheduled time; repealing s. 192.117, F.S., relating to the Property Tax Administration Task Force; amending s. 193.114, F.S.; revising the information that must be included on a real property assessment roll relating to the transfer of ownership of property; defining the term "ownership transfer date"; deleting a requirement to include information relating to a fiduciary on a real property assessment roll; amending s. 193.155, F.S.; providing for designation of the ownership share to be attributed to certain persons who abandon a homestead property for purposes of determining the assessed value of a newly established homestead under certain circumstances; amending s. 193.1554, F.S.; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of nonhomestead residential property; providing for the application of an assessment limitation to a combined or divided parcel of nonhomestead residential property; amending s. 193.1555, F.S.; redefining the term "nonresidential real property" to conform a cross-reference to the State Constitution; deleting obsolete provisions; providing for the apportionment of increases in the value of combined and divided parcels of property; providing for the application of an assessment limitation to a combined or divided parcel of property; amending ss. 193.501, 193.503, and 193.505, F.S.; deleting provisions requiring that the tax collector report amounts of deferred tax liability to the Department of Revenue; amending s. 194.032, F.S.; requiring that certain information be included in, or provided along with, the notice provided to a petitioner concerning the time scheduled for an appearance before a value adjustment board; requiring that a hearing before the value adjustment board be rescheduled if the hearing on the petitioner's petition is not commenced within a certain time after the scheduled time; making technical and grammatical changes; amending s. 194.034, F.S.; deleting an exception to a requirement that a value adjustment board render a written decision relating to the petitioner's failure to make a required payment; deleting a requirement that the Department of Revenue be notified of decisions by the value adjustment board; requiring that the clerk notify the Department of Revenue of a decision of the value adjustment board or information relating to the tax impact of the decision upon request; making technical and grammatical changes; amending s. 195.096, F.S.; authorizing the measures in the findings resulting from an in-depth review of

an assessment roll of a county to be based on a ratio that is generally accepted by professional appraisal organizations in developing a statistically valid sampling plan under certain circumstances; revising the requirements for the Department of Revenue to provide certain information concerning its review of assessment rolls to the Legislature, the appropriate property appraiser, and county commissions; requiring that copies of the review data and findings be provided upon request; repealing s. 195.0985, F.S., relating to a requirement that the department publish annual ratio studies; amending s. 195.099, F.S.; allowing the department discretion in determining whether to review the assessments of certain businesses; amending s. 196.031, F.S.; requiring that specified ad valorem tax exemptions be applied before other homestead exemptions are applied in the order that results in the lowest taxable value of a homestead; amending s. 196.081, F.S.; authorizing an applicant for an ad valorem tax exemption for a disabled veteran or for a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.082, F.S.; authorizing an applicant for an ad valorem tax discount available to disabled veterans to apply for the discount before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.091, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled veterans confined to a wheelchair to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.101, F.S.; authorizing an applicant for an ad valorem tax exemption for totally and permanently disabled persons to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.121, F.S.; authorizing the Department of Revenue to provide certain forms electronically; deleting a requirement that the department supply printed forms to property appraisers; amending s. 196.199, F.S.; providing that property of a municipality is exempt from ad valorem taxation under specified circumstances; providing for retroactive application; amending s. 196.202, F.S.; authorizing an applicant for an ad valorem exemption for widows, widowers, blind persons, or persons who are totally and permanently disabled to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 196.24, F.S.; authorizing an applicant for an ad valorem tax exemption for disabled ex-servicemembers or a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; requiring refunds of excess taxes paid under certain circumstances; amending s. 200.065, F.S.; deleting obsolete provisions; revising provisions relating to the calculation of the rolled-back rate; correcting cross-references to certain additional taxes; amending s. 200.069, F.S.; requiring a property appraiser, at the request of the governing body of a county, to mail an additional form along with the notice of proposed taxes to notify taxpayers of the portion of the proposed nonvoted county millage rate that is attributable to each constitutional officer and the county commission; amending ss. 218.12 and 218.125, F.S.; deleting obsolete provisions; providing for the reversion of funds appropriated to offset reductions in ad valorem tax revenue to a fiscally constrained county if the county fails to apply for a distribution of funds; providing effective dates.

—was read the second time by title.

Representative Caldwell offered the following:

(Amendment Bar Code: 581585)

**Amendment 1**—Remove line 225 and insert:

discovered. If, subsequent to the initial decision qualifying or disqualifying a transfer of property, the property appraiser obtains information indicating that the initial decision should be changed, the property appraiser may change the qualification decision and, if so, must document the reason for the change in a manner acceptable to the executive director or the executive director's designee. Sale or transfer data must be current on all tax

Rep. Caldwell moved the adoption of the amendment, which was adopted.

Representative Logan offered the following:

(Amendment Bar Code: 473475)

**Amendment 2 (with title amendment)**—Remove lines 703-718

#### TITLE AMENDMENT

Remove lines 105-108 and insert:  
appraisers; amending s. 196.202, F.S.;

Rep. Logan moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 920

Speaker Cannon in the Chair.

Yeas—41

Abruzzo	Gaetz	Perman	Stafford
Bembry	Gibbons	Perry	Taylor
Berman	Harrell	Porth	Thompson, G.
Bernard	Jenne	Reed	Thurston
Bullard	Jones	Rehwinkel Vasilinda	Tobia
Burgin	Kiar	Rogers	Waldman
Campbell	Kreegel	Rouson	Watson
Clemens	Kriseman	Sands	Williams, A.
Costello	Logan	Saunders	
Cruz	Mayfield	Schwartz	
Fullwood	Pafford	Soto	

Nays—73

Adkins	Drake	Legg	Renuart
Ahern	Eisnaugle	Lopez-Cantera	Roberson, K.
Albritton	Ford	McBurney	Rooney
Artiles	Fresen	McKeel	Schenck
Baxley	Frishe	Metz	Slosberg
Bileca	Garcia	Moraitis	Smith
Boyd	Glorioso	Nehr	Snyder
Brandes	Gonzalez	Nelson	Stargel
Brodeur	Goodson	Nuñez	Steube
Broxson	Grant	O'Toole	Trujillo
Caldwell	Grimsley	Oliva	Van Zant
Cannon	Hager	Passidomo	Weatherford
Chestnut	Harrison	Patronis	Weinstein
Coley	Holder	Pilon	Wood
Corcoran	Hooper	Plakon	Workman
Crisafulli	Horner	Porter	Young
Davis	Hudson	Precourt	
Diaz	Ingram	Proctor	
Dorworth	Julien	Ray	

Votes after roll call:

Nays—Aubuchon

Under Rule 10.10(b), the was referred to the Engrossing Clerk.

**HB 1183**—A bill to be entitled An act relating to the East County Water Control District, Lee and Hendry Counties; amending chapter 2000-423, Laws of Florida, as amended; revising the procedure for filling vacancies on the district's board of commissioners; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/CS/HB 725**—A bill to be entitled An act relating to insurance agents and adjusters; amending s. 626.015, F.S.; revising the definitions of "adjuster" and "home state"; amending s. 626.0428, F.S.; revising provisions

relating to who may bind insurance coverage; amending s. 626.171, F.S.; providing that an applicant is responsible for the information in an application even if completed by a third party; requiring an application to include a statement about the method used to meet certain requirements; amending s. 626.191, F.S.; revising provisions relating to when an applicant may apply for a license after an initial application is denied by the Department of Financial Services; amending s. 626.221, F.S.; revising provisions relating to license examinations; conforming provisions relating to all-lines adjusters; deleting an exemption from examination for certain adjusters; amending s. 626.231, F.S.; providing for submitting an application for examination on a designee's website; amending s. 626.241, F.S.; revising the scope of the examination for an all-lines adjuster; amending s. 626.251, F.S.; providing for e-mailing notices of examinations; amending s. 626.281, F.S.; specifying how many times an applicant may take an examination during a year; amending s. 626.2815, F.S.; revising provisions relating to continuing education requirements; providing that persons on active military duty may seek a waiver; providing for an update course and the contents of such course; deleting requirements relating specifically to certain types of insurance; providing education requirements for bail bond agents and public adjusters; eliminating the continuing education advisory board; amending s. 626.292, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; amending s. 626.311, F.S.; conforming provisions to changes made by the act relating to limited licenses; amending s. 626.321, F.S.; revising provisions relating to limited licenses; prohibiting the future issuance of new limited licenses for motor vehicle physical damage and mechanical breakdown insurance; combining limited licenses relating to credit insurance; specifying events covered by crop hail and multiple-peril crop insurance; revising in-transit and storage personal property insurance to create a limited license for portable electronics insurance; amending s. 626.342, F.S.; clarifying that the prohibition relating to the furnishing of supplies to unlicensed agents applies to all unlicensed agents; amending s. 626.381, F.S.; revising provisions relating to the reporting of administrative actions; amending s. 626.536, F.S.; clarifying requirements for reporting administrative actions taken against a licensee; amending s. 626.551, F.S.; shortening the time within which a licensee must report to the department a change in certain information; authorizing the Department of Financial Services to adopt rules relating to notification of a change of address; amending s. 626.621, F.S.; adding failure to comply with child support requirements as grounds for action against a license; amending s. 626.641, F.S.; clarifying provisions relating to the suspension or revocation of a license or appointment; amending s. 626.651, F.S.; revising provisions relating to the suspension or revocation of licenses; amending ss. 626.730 and 626.732, F.S.; revising provisions relating to the purpose of the general lines and personal lines license and certain requirements related to general lines and personal lines agents; conforming provisions to changes made by the act relating to limited licenses; amending s. 626.8411, F.S.; revising requirements and exemptions relating to title insurance agents or agencies; amending s. 626.8419, F.S.; requiring title insurance agencies to obtain surety bonds payable to appointing title insurers under certain circumstances; providing that such surety bonds must require notification of title insurers under certain circumstances; requiring title insurance agencies to periodically provide certain evidence relating to surety bonds; restricting title insurers from providing surety bonds under certain circumstances; creating s. 626.8548, F.S.; defining the term "all-lines adjuster"; amending s. 626.855, F.S.; revising the definition of "independent adjuster"; amending s. 626.856, F.S.; revising the definition of "company employee adjuster"; repealing s. 626.858, F.S., relating to defining "nonresident company employee adjuster"; amending s. 626.8584, F.S.; revising the definition of "nonresident all-lines adjuster"; amending s. 626.863, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; amending s. 626.864, F.S.; revising provisions relating to adjuster license types; amending s. 626.865, F.S.; requiring an applicant for public adjuster to be licensed as a public adjuster apprentice; amending s. 626.866, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; repealing s. 626.867, F.S., relating to qualifications for company employee adjusters; amending s. 626.869, F.S.; revising provisions relating to an all-lines adjuster license; ceasing the issuance of certain adjuster licenses; revising continuing

education requirements; amending s. 626.8697, F.S.; revising provisions relating to the violation of rules resulting in the suspension or revocation of an adjuster's license; amending s. 626.872, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; repealing s. 626.873, F.S., relating to licensure for nonresident company employee adjusters; amending s. 626.8734, F.S.; amending provisions relating to nonresident all-lines adjusters; providing for verifying an applicant's status through the National Association of Insurance Commissioners' Producer Database; amending ss. 626.8736, 626.874, 626.875, and 626.876, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; amending s. 626.927, F.S.; deleting a requirement that a licensed surplus lines agent maintain a bond; repealing s. 626.928, F.S., relating to a surplus lines agent's bond; amending ss. 626.933, 626.935, and 627.952, F.S.; conforming cross-references; amending s. 635.051, F.S.; requiring persons transacting mortgage guaranty insurance to be licensed and appointed as a credit insurance agent; amending s. 648.34, F.S.; requiring application information for bail bond agents; amending s. 648.38, F.S.; revising the notice of examination requirements for bail bond agents; amending s. 648.385, F.S.; revising continuing education courses for bail bond agents, to conform to changes made by the act; amending s. 648.421, F.S.; requiring a bail bond agent to provide notification of a change in his or her e-mail address; providing effective dates.

—was read the second time by title.

Representative Hager offered the following:

(Amendment Bar Code: 741333)

**Amendment 1**—Remove line 671 and insert:  
continuing education credit must furnish, within 21 ~~30~~ days

Rep. Hager moved the adoption of the amendment, which was adopted.

Representative Hager offered the following:

(Amendment Bar Code: 907581)

**Amendment 2**—Remove line 749 and insert:  
(3) Each licensee except a title insurance agent ~~subject to this section~~ must, ~~except as~~

Rep. Hager moved the adoption of the amendment, which was adopted.

Representative Hager offered the following:

(Amendment Bar Code: 919681)

**Amendment 3**—Remove lines 770-771 and insert:  
(a) Except as provided in paragraphs (b), (c), (d), (e), and (i), each licensee must also complete 17 ~~3~~ hours of elective

Rep. Hager moved the adoption of the amendment, which was adopted.

Representative Artiles offered the following:

(Amendment Bar Code: 512901)

**Amendment 4**—Remove lines 1404-1405 and insert:  
licensee must ~~shall~~ notify the department, in writing, within 45 ~~60~~ days after a change of name, residence address, principal

Rep. Artiles moved the adoption of the amendment, which failed of adoption.

Representative Artiles offered the following:

(Amendment Bar Code: 886269)

**Amendment 5**—Remove line 1409 and insert:

principal place of residence and principal place of business from this state shall have his or her license and all

Rep. Ariles moved the adoption of the amendment, which was adopted.

Representative Hager offered the following:

(Amendment Bar Code: 289507)

**Amendment 6**—Remove line 1679 and insert:

(c) Notwithstanding s. 626.8418(2), the agency must have obtained a surety bond in an

Rep. Hager moved the adoption of the amendment, which was adopted.

Representative Nelson offered the following:

(Amendment Bar Code: 000613)

**Amendment 7 (with title amendment)**—Remove lines 1784-2160 and insert:

Section 33. Subsection (1) of section 626.865, Florida Statutes, is amended to read:

626.865 Public adjuster's qualifications, bond.—

(1) The department shall issue a license to an applicant for a public adjuster's license upon determining that the applicant has paid the applicable fees specified in s. 624.501 and possesses the following qualifications:

(a) Is a natural person at least 18 years of age.

(b) Is a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services ~~and a bona fide resident of this state.~~

(c) Is trustworthy and has such business reputation as would reasonably assure that the applicant will conduct his or her business as insurance adjuster fairly and in good faith and without detriment to the public.

(d) Has had sufficient experience, training, or instruction concerning the adjusting of damages or losses under insurance contracts, other than life and annuity contracts, is sufficiently informed as to the terms and effects of the provisions of those types of insurance contracts, and possesses adequate knowledge of the laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom the applicant may have business as a public adjuster, or has been licensed and employed as a resident insurance company adjuster or independent adjuster in this state on a continual basis for the past year.

(e) Is licensed as a public adjuster apprentice under s. 626.8651 and complies with the requirements of that license throughout the licensure period.

Section 34. Paragraph (b) of subsection (1) and subsection (7) of section 626.8651, Florida Statutes, are amended to read:

626.8651 Public adjuster apprentice license; qualifications.—

(1) The department shall issue a license as a public adjuster apprentice to an applicant who is:

(b) A United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services ~~and is a resident of this state.~~

(7) An appointing public adjusting firm may not maintain more than 12 public adjuster apprentices simultaneously. However, a supervising public adjuster may not be responsible for more than three public adjuster apprentices simultaneously and shall be accountable for the acts of all public adjuster apprentices which are related to transacting business as a public adjuster apprentice. This subsection does not apply to a public adjusting firm that adjusts claims exclusively for institutions that service or guarantee mortgages.

Section 35. Section 626.866, Florida Statutes, is amended to read:

626.866 ~~All-lines adjuster~~ ~~Independent adjuster's~~ qualifications.—The department shall issue ~~a license to an applicant for an all-lines adjuster independent adjuster's~~ license to an applicant upon determining that the applicable license fee specified in s. 624.501 has been paid and that the applicant possesses the following qualifications:

(1) Is a natural person at least 18 years of age.

(2) Is a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services and a bona fide resident of this state.

(3) Is trustworthy and has such business reputation as would reasonably assure that the applicant will conduct his or her business as insurance adjuster fairly and in good faith and without detriment to the public.

(4) Has had sufficient experience, training, or instruction concerning the adjusting of damage or loss under insurance contracts, other than life and annuity contracts, is sufficiently informed as to the terms and the effects of the provisions of such types of contracts, and possesses adequate knowledge of the insurance laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom he or she may have relations as an insurance adjuster and to adjust all claims in accordance with the policy or contract and the insurance laws of this state.

(5) Has passed any required written examination or has met one of the exemptions prescribed under s. 626.221.

Section 36. Section 626.867, Florida Statutes, is repealed.

Section 37. Section 626.869, Florida Statutes, is amended to read:

626.869 License, adjusters; continuing education.—

(1) ~~Having An applicant for a license as an all-lines adjuster qualifies the licensee to adjust may qualify and his or her license when issued may cover adjusting in any one of the following classes of insurance:~~

~~(a) all lines of insurance except life and annuities.~~

~~(b) Motor vehicle physical damage insurance.~~

~~(c) Property and casualty insurance.~~

~~(d) Workers' compensation insurance.~~

~~(e) Health insurance.~~

~~No examination on workers' compensation insurance or health insurance shall be required for public adjusters.~~

(2) All individuals who on October 1, 1990, hold an adjuster's license and appointment limited to fire and allied lines, including marine or casualty or boiler and machinery, may remain licensed and appointed under the limited license and may renew their appointment, but ~~a no~~ license or appointment ~~that which~~ has been terminated, not renewed, suspended, or revoked may not ~~shall~~ be reinstated, and ~~no~~ new or additional licenses or appointments may not ~~shall~~ be issued.

(3) All individuals who on October 1, 2012, hold an adjuster's license and appointment limited to motor vehicle physical damage and mechanical breakdown, property and casualty, workers' compensation, or health insurance may remain licensed and appointed under such limited license and may renew their appointment, but a license that has been terminated, suspended, or revoked may not be reinstated, and new or additional licenses may not be issued. The applicant's application for license shall specify which of the foregoing classes of business the application for license is to cover.

~~(4)(a) An Any individual holding a license as a public adjuster or an all-lines a company employee adjuster must complete all continuing education requirements as specified in s. 626.2815, or independent adjuster for 24 consecutive months or longer must, beginning in his or her birth month and every 2 years thereafter, have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current insurance laws of this state, so as to enable him or her to engage in business as an insurance adjuster fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and the laws of this state.~~

~~(b) Any individual holding a license as a public adjuster for 24 consecutive months or longer, beginning in his or her birth month and every 2 years thereafter, must have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current laws of this state pertaining to all lines of insurance other than life and annuities, the current laws of this state pertaining to the duties and responsibilities of public adjusters as set forth in this part, and the current rules of the department applicable to public adjusters and standard or representative policy forms used by insurers, other than forms for life insurance and annuities, so as to enable him or her to engage in business as an adjuster fairly and without~~

injury to the public and to adjust all claims in accordance with the policy or contract and laws of this state. In order to receive credit for continuing education courses, public adjusters must take courses that are specifically designed for public adjusters and approved by the department, provided, however, no continuing education course shall be required for public adjusters for workers' compensation insurance or health insurance.

~~(e) The department shall adopt rules necessary to implement and administer the continuing education requirements of this subsection. For good cause shown, the department may grant an extension of time during which the requirements imposed by this section may be completed, but such extension of time may not exceed 1 year.~~

~~(d) A nonresident public adjuster must complete the continuing education requirements provided by this section; provided, a nonresident public adjuster may meet the requirements of this section if the continuing education requirements of the nonresident public adjuster's home state are determined to be substantially comparable to the requirements of this state's continuing education requirements and if the resident's state recognizes reciprocity with this state's continuing education requirements. A nonresident public adjuster whose home state does not have such continuing education requirements for adjusters, and who is not licensed as a nonresident adjuster in a state that has continuing education requirements and reciprocates with this state, must meet the continuing education requirements of this section.~~

(5) The regulation of continuing education for licensees, course providers, instructors, school officials, and monitor groups shall be as provided for in s. 626.2816.

Section 38. Paragraph (c) of subsection (2) of section 626.8697, Florida Statutes, is amended to read:

626.8697 Grounds for refusal, suspension, or revocation of adjusting firm license.—

(2) The department may, in its discretion, deny, suspend, revoke, or refuse to continue the license of any adjusting firm if it finds that any of the following applicable grounds exist with respect to the firm or any owner, partner, manager, director, officer, or other person who is otherwise involved in the operation of the firm:

(c) Violation of an ~~any~~ order or rule of the department, ~~office~~, or commission.

Section 39. Subsections (1) and (5) of section 626.872, Florida Statutes, are amended to read:

626.872 Temporary license.—

(1) The department may, ~~in its discretion~~, issue a temporary license as an all-lines independent adjuster or as a company employee adjuster, subject to the following conditions:

(a) The applicant must be an employee of an adjuster currently licensed by the department, ~~an employee of an authorized insurer, or an employee of an established adjusting firm or corporation who~~ which is supervised by a currently licensed all-lines independent adjuster.

~~(b) The application must be accompanied by a certificate of employment and a report as to the applicant's integrity and moral character on a form prescribed by the department and executed by the employer.~~

~~(b)(e)~~ The applicant must be a natural person of at least 18 years of age, ~~must be~~ a bona fide resident of this state, ~~must be~~ trustworthy, and ~~must have a~~ such business reputation ~~that as~~ would reasonably ~~ensure~~ assure that the applicant will conduct his or her business as an adjuster fairly and in good faith and without detriment to the public.

~~(c)(d)~~ The applicant's employer is responsible for the adjustment acts of the temporary ~~any~~ licensee ~~under this section~~.

~~(d)(e)~~ The applicable license fee ~~specified~~ must be paid before issuance of the temporary license.

~~(e)(f)~~ The temporary license ~~is~~ shall be effective for a period of 1 year, but is subject to earlier termination at the request of the employer, ~~or if the licensee fails to take an examination as an all-lines independent adjuster or company employee adjuster within 6 months after issuance of the temporary license, or if the temporary license is suspended or revoked by the department.~~

(5) The department ~~may~~ shall not issue a temporary license as an all-lines independent adjuster or as a company employee adjuster to an ~~any~~ individual who has ~~ever~~ held such a license in this state.

Section 40. Section 626.873, Florida Statutes, is repealed.

Section 41. Paragraph (e) of subsection (1) and subsection (2) of section 626.8732, Florida Statutes, are amended to read:

626.8732 Nonresident public adjuster's qualifications, bond.—

(1) The department shall, upon application therefor, issue a license to an applicant for a nonresident public adjuster's license upon determining that the applicant has paid the applicable license fees required under s. 624.501 and:

(e) Has been licensed and employed as a public adjuster in the applicant's state of residence on a continual basis for the past year 3 years, or, if the applicant's state of residence does not issue licenses to individuals who act as public adjusters, the applicant has been licensed and employed as a resident insurance company or independent adjuster, ~~insurance agent, insurance broker, or other insurance representative~~ in his or her state of residence or any other state on a continual basis for the past year 3 years. ~~This paragraph does not apply to individuals who are licensed to transact only life insurance and annuity business.~~

(2) The applicant shall furnish the following with his or her application:

(a) A complete set of his or her fingerprints. The applicant's fingerprints must be certified by an authorized law enforcement officer. The department may not authorize an applicant to take the required examination or issue a nonresident public adjuster's license to the applicant until the department has received a report from the Florida Department of Law Enforcement and the Federal Bureau of Investigation relative to the existence or nonexistence of a criminal history report based on the applicant's fingerprints.

(b) If currently licensed as a resident public adjuster in the applicant's state of residence, a certificate or letter of authorization from the licensing authority of the applicant's state of residence, stating that the applicant holds a current or comparable license to act as a public adjuster and has held the license continuously for the past year 3 years. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether the adjuster has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

(c) If the applicant's state of residence does not require licensure as a public adjuster and the applicant has been licensed as a resident insurance adjuster, ~~agent, broker, or other insurance representative~~ in his or her state of residence or any other state, a certificate or letter of authorization from the licensing authority stating that the applicant holds or has held a license to act as such an insurance adjuster, ~~agent, or other insurance representative~~ and has held the license continuously for the past year 3 years. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether or not the adjuster, ~~agent, or other insurance representative~~ has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

Section 42. Section 626.8734, Florida Statutes, is amended to read:

626.8734 Nonresident all-lines adjuster license independent adjuster's qualifications.—

(1) The department shall, ~~upon application therefor~~, issue a license to an applicant for a nonresident all-lines adjuster independent adjuster's license upon determining that the applicant has paid the applicable license fees required under s. 624.501 and:

(a) Is a natural person at least 18 years of age.

(b) Has passed to the satisfaction of the department a written Florida all-lines adjuster independent adjuster's examination of the scope prescribed in s. 626.241(6); however, the requirement for the examination does not apply to any of the following:

1. An applicant who is licensed as an all-lines ~~a resident independent~~ adjuster in his or her home state ~~if of residence when~~ that state has entered into ~~requires the passing of a written examination in order to obtain the license and a reciprocal agreement with the appropriate official of that state has been entered into by the department; or~~

2. An applicant who is licensed as a nonresident all-lines independent adjuster in a state other than his or her home state of residence ~~when the state of licensure requires the passing of a written examination in order to obtain the~~



license and a reciprocal agreement with the appropriate official of the state of licensure has been entered into ~~with~~ by the department.

(c) Is licensed as an all-lines adjuster and is self appointed, or appointed ~~and employed by an independent adjusting firm or other independent adjuster,~~ or is an employee of an insurer admitted to do business in this state, a wholly owned subsidiary of an insurer admitted to business in this state, or other ~~insurers under the common control or ownership of such insurers self-employed or associated with or employed by an independent adjusting firm or other independent adjuster.~~ Applicants licensed as nonresident ~~all-lines independent~~ adjusters under this section must be appointed as an ~~independent~~ adjuster or company employee adjuster ~~such in accordance with the provisions of ss. 626.112 and 626.451. Appointment fees as in the amount specified in s. 624.501 must be paid to the department in advance. The appointment of a nonresident independent adjuster continues shall continue in force until suspended, revoked, or otherwise terminated, but is subject to biennial renewal or continuation by the licensee in accordance with procedures prescribed in s. 626.381 for licensees in general.~~

(d) Is trustworthy and has such business reputation as would reasonably ensure ~~assure~~ that he or she will conduct his or her business as a nonresident ~~all-lines independent~~ adjuster fairly and in good faith and without detriment to the public.

(e) Has had sufficient experience, training, or instruction concerning the adjusting of damages or losses under insurance contracts, other than life and annuity contracts; is sufficiently informed as to the terms and effects of ~~the provisions of~~ those types of insurance contracts; and possesses adequate knowledge of the laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom he or she may have business as an ~~all-lines independent~~ adjuster.

(2) The applicant ~~must~~ ~~shall~~ furnish the following with his or her application:

(a) A complete set of his or her fingerprints. The applicant's fingerprints must be certified by an authorized law enforcement officer.

(b) If currently licensed as ~~an all-lines a resident independent~~ adjuster in the applicant's ~~home state of residence,~~ a certificate or letter of authorization from the licensing authority of the applicant's ~~home state of residence,~~ stating that the applicant holds a current license to act as an ~~all lines independent~~ adjuster. ~~The~~ ~~Such~~ certificate or letter of authorization must be signed by the insurance commissioner, or his or her deputy or the appropriate licensing official, and must disclose whether the adjuster has ever had ~~a any~~ license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action. ~~Such certificate or letter is not required if the nonresident applicant's licensing status can be verified through the Producer Database maintained by the National Association of Insurance Commissioners, its affiliates, or subsidiaries.~~

(c) If the applicant's ~~home state of residence~~ does not require licensure as an ~~all-lines independent~~ adjuster and the applicant has been licensed as a resident insurance adjuster, agent, broker, or other insurance representative in his or her ~~home state of residence~~ or any other state within the past 3 years, a certificate or letter of authorization from the licensing authority stating that the applicant holds or has held a license to act as an insurance adjuster, agent, or other insurance representative. The certificate or letter of authorization must be signed by the insurance commissioner, or his or her deputy or the appropriate licensing official, and must disclose whether the adjuster, agent, or other insurance representative has ever had ~~a any~~ license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action. ~~Such certificate or letter is not required if the nonresident applicant's licensing status can be verified through the Producer Database maintained by the National Association of Insurance Commissioners, its affiliates, or subsidiaries.~~

(3) The usual and customary records pertaining to transactions under the license of a nonresident ~~all-lines independent~~ adjuster must be retained for at least 3 years after completion of the adjustment and ~~must~~ be made available in this state to the department upon request. The failure of a nonresident ~~all-lines independent~~ adjuster to properly maintain records and make them available to

the department upon request constitutes grounds for the immediate suspension of the license issued under this section.

(4) ~~After licensure as a nonresident independent adjuster,~~ As a condition of doing business in this state as a nonresident independent adjuster, the ~~appointee must licensee must annually on or before January 1, on a form prescribed by the department,~~ submit an affidavit to the department certifying that the licensee is familiar with and understands the insurance laws and administrative rules of this state and the provisions of the contracts negotiated or to be negotiated. Compliance with this filing requirement is a condition precedent to the issuance, continuation, reinstatement, or renewal of a nonresident independent adjuster's appointment.

Section 43. Section 626.8736, Florida Statutes, is amended to read:

626.8736 Nonresident independent or public adjusters; service of process.—

(1) Each licensed nonresident ~~independent or~~ public adjuster or ~~all-lines adjuster appointed as an independent adjuster~~ shall appoint the Chief Financial Officer and his or her successors in office as his or her attorney to receive service of legal process issued against ~~such the nonresident independent or public~~ adjuster in this state, upon causes of action arising within this state out of transactions under his license and appointment. Service upon the Chief Financial Officer as attorney ~~constitutes shall constitute~~ effective legal service upon the nonresident independent or public adjuster.

(2) The appointment of the Chief Financial Officer for service of process ~~is shall be~~ irrevocable for as long as there could be any cause of action against the nonresident ~~independent or~~ public adjuster or ~~all-lines adjuster appointed as an independent adjuster~~ arising out of his or her insurance transactions in this state.

(3) Duplicate copies of legal process against the nonresident ~~independent or~~ public adjuster or ~~all-lines adjuster appointed as an independent adjuster~~ shall be served upon the Chief Financial Officer by a person competent to serve a summons.

(4) Upon receiving the service, the Chief Financial Officer shall ~~forthwith~~ send one of the copies of the process, by registered mail with return receipt requested, to the defendant nonresident ~~independent or~~ public adjuster or ~~all-lines adjuster appointed as an independent adjuster~~ at his or her last address of record with the department.

(5) The Chief Financial Officer shall keep a record of the day and hour of service upon him or her of all legal process received under this section.

Section 44. Subsection (1) of section 626.874, Florida Statutes, is amended to read:

626.874 Catastrophe or emergency adjusters.—

(1) In the event of a catastrophe or emergency, the department may issue a license, for the purposes and under the conditions ~~which it shall fix~~ and for the period of emergency as it shall determine, to persons who are residents or nonresidents of this state, who are at least 18 years of age, who are United States citizens or legal aliens who possess work authorization from the United States Bureau of Citizenship and Immigration Services, and who are not licensed adjusters under this part but who have been designated and certified to it as qualified to act as adjusters by ~~all-lines independent~~ resident adjusters, ~~or~~ by an authorized insurer, or by a licensed general lines agent to adjust claims, losses, or damages under policies or contracts of insurance issued by such insurers. The fee for the license ~~is shall be~~ as provided in s. 624.501(12)(c).

Section 45. Subsection (1) of section 626.875, Florida Statutes, is amended to read:

626.875 Office and records.—

(1) ~~Each appointed Every licensed~~ independent adjuster and ~~every~~ licensed public adjuster ~~must shall have and~~ maintain ~~in this state~~ a place of business ~~in this state which~~ is accessible to the public and keep therein the usual and customary records pertaining to transactions under the license. This provision ~~does shall not be deemed to~~ prohibit maintenance of such an office in the home of the licensee.

Section 46. Section 626.876, Florida Statutes, is amended to read:

626.876 Exclusive employment; public adjusters, independent adjusters.—

(1) ~~An~~ ~~No~~ individual licensed and appointed as a public adjuster ~~may not~~ ~~shall be so~~ employed during the same period by more than one public adjuster or public adjuster firm or corporation.

(2) ~~An~~ ~~No~~ individual licensed ~~as an all-lines adjuster~~ and appointed as an independent adjuster ~~may not~~ ~~shall be so~~ employed during the same period by more than one independent adjuster or independent adjuster firm or corporation.

Section 47. Subsection (2) of section 626.8796, Florida Statutes, is amended to read:

626.8796 Public adjuster contracts; fraud statement.—

(2) A public adjuster contract relating to a property and casualty claim must contain the full name, permanent business address, and license number of the public adjuster; the full name of the public adjusting firm; and the insured's full name and street address, together with a brief description of the loss. The contract must state the percentage of compensation for the public adjuster's services; the type of claim, including an emergency claim, nonemergency claim, or supplemental claim; the signatures of the public adjuster and all named insureds; and the signature date. If all of the named insureds' signatures are not available, the public adjuster must submit an affidavit signed by the available named insureds attesting that they have authority to enter into the contract and settle all claim issues on behalf of the named insureds. An unaltered copy of the executed contract must be remitted to the insurer within 30 days after execution. A public adjusting firm that adjusts claims exclusively for institutions that guarantee or service mortgages is deemed to comply with the requirements of this subsection if, at the time a proof of loss is submitted, the public adjusting firm remits to the insurer an affidavit signed by the public adjuster or public adjuster apprentice that identifies:

(a) The full name, permanent business address, and license number of the public adjuster or public adjuster apprentice.

(b) The full name of the public adjusting firm.

(c) The insured's full name and street address, together with a brief description of the loss.

(d) An attestation that the compensation for public adjusting services will not exceed the limitations provided by law.

(e) The type of claim, including an emergency claim, nonemergency claim, or supplemental claim.

#### TITLE AMENDMENT

Remove lines 94-117 and insert:

amending ss. 626.865 and 626.8651, F.S.; revising the requirements for licensure of public adjusters and public adjuster apprentices; amending s. 626.866, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; repealing s. 626.867, F.S., relating to qualifications for company employee adjusters; amending s. 626.869, F.S.; revising provisions relating to an all-lines adjuster license; ceasing the issuance of certain adjuster licenses; revising continuing education requirements; amending s. 626.8697, F.S.; revising provisions relating to the violation of rules resulting in the suspension or revocation of an adjuster's license; amending s. 626.872, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; repealing s. 626.873, F.S., relating to licensure for nonresident company employee adjusters; amending s. 626.8732, F.S.; revising the requirements for licensure of nonresident public adjusters; amending s. 626.8734, F.S.; amending provisions relating to nonresident all-lines adjusters; providing for verifying an applicant's status through the National Association of Insurance Commissioners' Producer Database; amending ss. 626.8736, 626.874, 626.875, and 626.876, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; amending s. 626.8796, F.S.; requiring a public adjusting firm that adjusts claims exclusively for institutions that guarantee or service mortgages to provide an affidavit to an insurer with certain information; amending

Rep. Nelson moved the adoption of the amendment.

Representative Nelson offered the following:

(Amendment Bar Code: 099489)

**Substitute Amendment 7 (with title amendment)**—Remove lines 1784-2160 and insert:

Section 33. Subsection (1) of section 626.865, Florida Statutes, is amended to read:

626.865 Public adjuster's qualifications, bond.—

(1) The department shall issue a license to an applicant for a public adjuster's license upon determining that the applicant has paid the applicable fees specified in s. 624.501 and possesses the following qualifications:

(a) Is a natural person at least 18 years of age.

(b) Is a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services ~~and a bona fide resident of this state.~~

(c) Is trustworthy and has such business reputation as would reasonably assure that the applicant will conduct his or her business as insurance adjuster fairly and in good faith and without detriment to the public.

(d) Has had sufficient experience, training, or instruction concerning the adjusting of damages or losses under insurance contracts, other than life and annuity contracts, is sufficiently informed as to the terms and effects of the provisions of those types of insurance contracts, and possesses adequate knowledge of the laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom the applicant may have business as a public adjuster, or has been licensed and employed as a resident insurance company adjuster or independent adjuster in this state on a continual basis for the past year.

(e) Is licensed as a public adjuster apprentice under s. 626.8651 and complies with the requirements of that license throughout the licensure period.

Section 34. Paragraph (b) of subsection (1) and subsection (7) of section 626.8651, Florida Statutes, are amended to read:

626.8651 Public adjuster apprentice license; qualifications.—

(1) The department shall issue a license as a public adjuster apprentice to an applicant who is:

(b) A United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services ~~and is a resident of this state.~~

(7) An appointing public adjusting firm may not maintain more than 12 public adjuster apprentices simultaneously. However, a supervising public adjuster may not be responsible for more than three public adjuster apprentices simultaneously and shall be accountable for the acts of all public adjuster apprentices which are related to transacting business as a public adjuster apprentice. This subsection does not apply to a public adjusting firm that adjusts claims primarily for commercial entities with operations in more than one state and that does not directly or indirectly perform adjusting services for insurers or individual homeowners.

Section 35. Section 626.866, Florida Statutes, is amended to read:

626.866 All-lines adjuster ~~Independent adjuster's~~ qualifications.—The department shall issue ~~a license to an applicant for an all-lines adjuster independent adjuster's license to an applicant~~ upon determining that the applicable license fee specified in s. 624.501 has been paid and that the applicant possesses the following qualifications:

(1) Is a natural person at least 18 years of age.

(2) Is a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services and a bona fide resident of this state.

(3) Is trustworthy and has such business reputation as would reasonably assure that the applicant will conduct his or her business as insurance adjuster fairly and in good faith and without detriment to the public.

(4) Has had sufficient experience, training, or instruction concerning the adjusting of damage or loss under insurance contracts, other than life and annuity contracts, is sufficiently informed as to the terms and the effects of the provisions of such types of contracts, and possesses adequate knowledge of the insurance laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom he or she may

have relations as an insurance adjuster and to adjust all claims in accordance with the policy or contract and the insurance laws of this state.

(5) Has passed any required written examination or has met one of the exemptions prescribed under s. 626.221.

Section 36. Section 626.867, Florida Statutes, is repealed.

Section 37. Section 626.869, Florida Statutes, is amended to read:

626.869 License, adjusters; continuing education.—

(1) Having An applicant for a license as an all-lines adjuster qualifies the licensee to adjust may qualify and his or her license when issued may cover adjusting in any one of the following classes of insurance:

- (a) all lines of insurance except life and annuities.
- (b) Motor vehicle physical damage insurance.
- (c) Property and casualty insurance.
- (d) Workers' compensation insurance.
- (e) Health insurance.

No examination on workers' compensation insurance or health insurance shall be required for public adjusters.

(2) All individuals who on October 1, 1990, hold an adjuster's license and appointment limited to fire and allied lines, including marine or casualty or boiler and machinery, may remain licensed and appointed under the limited license and may renew their appointment, but a no license or appointment that which has been terminated, not renewed, suspended, or revoked may not shall be reinstated, and no new or additional licenses or appointments may not shall be issued.

(3) All individuals who on October 1, 2012, hold an adjuster's license and appointment limited to motor vehicle physical damage and mechanical breakdown, property and casualty, workers' compensation, or health insurance may remain licensed and appointed under such limited license and may renew their appointment, but a license that has been terminated, suspended, or revoked may not be reinstated, and new or additional licenses may not be issued. The applicant's application for license shall specify which of the foregoing classes of business the application for license is to cover.

(4)(a) An Any individual holding a license as a public adjuster or an all-lines a company employee adjuster must complete all continuing education requirements as specified in s. 626.2815, or independent adjuster for 24 consecutive months or longer must, beginning in his or her birth month and every 2 years thereafter, have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current insurance laws of this state, so as to enable him or her to engage in business as an insurance adjuster fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and the laws of this state.

—(b) Any individual holding a license as a public adjuster for 24 consecutive months or longer, beginning in his or her birth month and every 2 years thereafter, must have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current laws of this state pertaining to all lines of insurance other than life and annuities, the current laws of this state pertaining to the duties and responsibilities of public adjusters as set forth in this part, and the current rules of the department applicable to public adjusters and standard or representative policy forms used by insurers, other than forms for life insurance and annuities, so as to enable him or her to engage in business as an adjuster fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and laws of this state. In order to receive credit for continuing education courses, public adjusters must take courses that are specifically designed for public adjusters and approved by the department, provided, however, no continuing education course shall be required for public adjusters for workers' compensation insurance or health insurance.

—(c) The department shall adopt rules necessary to implement and administer the continuing education requirements of this subsection. For good cause shown, the department may grant an extension of time during which the requirements imposed by this section may be completed, but such extension of time may not exceed 1 year.

—(d) A nonresident public adjuster must complete the continuing education requirements provided by this section; provided, a nonresident public adjuster may meet the requirements of this section if the continuing

education requirements of the nonresident public adjuster's home state are determined to be substantially comparable to the requirements of this state's continuing education requirements and if the resident's state recognizes reciprocity with this state's continuing education requirements. A nonresident public adjuster whose home state does not have such continuing education requirements for adjusters, and who is not licensed as a nonresident adjuster in a state that has continuing education requirements and reciprocates with this state, must meet the continuing education requirements of this section.

(5) The regulation of continuing education for licensees, course providers, instructors, school officials, and monitor groups shall be as provided for in s. 626.2816.

Section 38. Paragraph (c) of subsection (2) of section 626.8697, Florida Statutes, is amended to read:

626.8697 Grounds for refusal, suspension, or revocation of adjusting firm license.—

(2) The department may, in its discretion, deny, suspend, revoke, or refuse to continue the license of any adjusting firm if it finds that any of the following applicable grounds exist with respect to the firm or any owner, partner, manager, director, officer, or other person who is otherwise involved in the operation of the firm:

(c) Violation of an any order or rule of the department, office, or commission.

Section 39. Subsections (1) and (5) of section 626.872, Florida Statutes, are amended to read:

626.872 Temporary license.—

(1) The department may, in its discretion, issue a temporary license as an all-lines independent adjuster or as a company employee adjuster, subject to the following conditions:

(a) The applicant must be an employee of an adjuster currently licensed by the department, an employee of an authorized insurer, or an employee of an established adjusting firm or corporation who which is supervised by a currently licensed all-lines independent adjuster.

—(b) The application must be accompanied by a certificate of employment and a report as to the applicant's integrity and moral character on a form prescribed by the department and executed by the employer.

(b)(e) The applicant must be a natural person of at least 18 years of age, must be a bona fide resident of this state, must be trustworthy, and must have a such business reputation that as would reasonably ensure assure that the applicant will conduct his or her business as an adjuster fairly and in good faith and without detriment to the public.

(c)(d) The applicant's employer is responsible for the adjustment acts of the temporary any licensee under this section.

(d)(e) The applicable license fee specified must be paid before issuance of the temporary license.

(e)(f) The temporary license is shall be effective for a period of 1 year, but is subject to earlier termination at the request of the employer, or if the licensee fails to take an examination as an all-lines independent adjuster or company employee adjuster within 6 months after issuance of the temporary license, or if the temporary license is suspended or revoked by the department.

(5) The department may shall not issue a temporary license as an all-lines independent adjuster or as a company employee adjuster to an any individual who has ever held such a license in this state.

Section 40. Section 626.873, Florida Statutes, is repealed.

Section 41. Paragraph (e) of subsection (1) and subsection (2) of section 626.8732, Florida Statutes, are amended to read:

626.8732 Nonresident public adjuster's qualifications, bond.—

(1) The department shall, upon application therefor, issue a license to an applicant for a nonresident public adjuster's license upon determining that the applicant has paid the applicable license fees required under s. 624.501 and:

(e) Has been licensed and employed as a public adjuster in the applicant's state of residence on a continual basis for the past year 3 years, or, if the applicant's state of residence does not issue licenses to individuals who act as public adjusters, the applicant has been licensed and employed as a resident insurance company or independent adjuster, insurance agent, insurance broker, or other insurance representative in his or her state of residence or any other state on a continual basis for the past year 3 years. This paragraph

does not apply to individuals who are licensed to transact only life insurance and annuity business.

(2) The applicant shall furnish the following with his or her application:

(a) A complete set of his or her fingerprints. The applicant's fingerprints must be certified by an authorized law enforcement officer. The department may not authorize an applicant to take the required examination or issue a nonresident public adjuster's license to the applicant until the department has received a report from the Florida Department of Law Enforcement and the Federal Bureau of Investigation relative to the existence or nonexistence of a criminal history report based on the applicant's fingerprints.

(b) If currently licensed as a resident public adjuster in the applicant's state of residence, a certificate or letter of authorization from the licensing authority of the applicant's state of residence, stating that the applicant holds a current or comparable license to act as a public adjuster and has held the license continuously for the past year ~~3 years~~. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether the adjuster has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

(c) If the applicant's state of residence does not require licensure as a public adjuster and the applicant has been licensed as a resident insurance adjuster, agent, broker, or other insurance representative in his or her state of residence or any other state, a certificate or letter of authorization from the licensing authority stating that the applicant holds or has held a license to act as such an insurance adjuster, agent, or other insurance representative and has held the license continuously for the past year ~~3 years~~. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether or not the adjuster, agent, or other insurance representative has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

Section 42. Section 626.8734, Florida Statutes, is amended to read:

626.8734 Nonresident all-lines adjuster license independent adjuster's qualifications.—

(1) The department shall, ~~upon application therefor~~, issue a license to an applicant for a nonresident all-lines adjuster independent adjuster's license upon determining that the applicant has paid the applicable license fees required under s. 624.501 and:

(a) Is a natural person at least 18 years of age.

(b) Has passed to the satisfaction of the department a written Florida all-lines adjuster independent adjuster's examination of the scope prescribed in s. 626.241(6); however, the requirement for the examination does not apply to ~~any of the following~~:

1. An applicant who is licensed as an all-lines a resident independent adjuster in his or her home state if of residence when that state has entered into requires the passing of a written examination in order to obtain the license and a reciprocal agreement with the appropriate official of that state has been entered into by the department; or

2. An applicant who is licensed as a nonresident all-lines independent adjuster in a state other than his or her home state of residence when the state of licensure requires the passing of a written examination in order to obtain the license and a reciprocal agreement with the appropriate official of the state of licensure has been entered into with by the department.

(c) Is licensed as an all-lines adjuster and is self appointed, or appointed and employed by an independent adjusting firm or other independent adjuster, or is an employee of an insurer admitted to do business in this state, a wholly owned subsidiary of an insurer admitted to business in this state, or other insurers under the common control or ownership of such insurers self-employed or associated with or employed by an independent adjusting firm or other independent adjuster. Applicants licensed as nonresident all-lines independent adjusters under this section must be appointed as an independent adjuster or company employee adjuster such in accordance with the provisions of ss. 626.112 and 626.451. Appointment fees as ~~in the amount~~ specified in s. 624.501 must be paid to the department in advance. The appointment of a

nonresident independent adjuster continues shall continue in force until suspended, revoked, or otherwise terminated, but is subject to biennial renewal or continuation by the licensee in accordance with procedures prescribed in s. 626.381 for licensees in general.

(d) Is trustworthy and has such business reputation as would reasonably ensure assure that he or she will conduct his or her business as a nonresident all-lines independent adjuster fairly and in good faith and without detriment to the public.

(e) Has had sufficient experience, training, or instruction concerning the adjusting of damages or losses under insurance contracts, other than life and annuity contracts; is sufficiently informed as to the terms and effects of ~~the provisions of~~ those types of insurance contracts; and possesses adequate knowledge of the laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom he or she may have business as an all-lines independent adjuster.

(2) The applicant must shall furnish the following with his or her application:

(a) A complete set of his or her fingerprints. The applicant's fingerprints must be certified by an authorized law enforcement officer.

(b) If currently licensed as an all-lines a resident independent adjuster in the applicant's home state of residence, a certificate or letter of authorization from the licensing authority of the applicant's home state of residence, stating that the applicant holds a current license to act as an all lines independent adjuster. The Such certificate or letter of authorization must be signed by the insurance commissioner, or his or her deputy or the appropriate licensing official, and must disclose whether the adjuster has ever had a any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action. Such certificate or letter is not required if the nonresident applicant's licensing status can be verified through the Producer Database maintained by the National Association of Insurance Commissioners, its affiliates, or subsidiaries.

(c) If the applicant's home state of residence does not require licensure as an all-lines independent adjuster and the applicant has been licensed as a resident insurance adjuster, agent, broker, or other insurance representative in his or her home state of residence or any other state within the past 3 years, a certificate or letter of authorization from the licensing authority stating that the applicant holds or has held a license to act as an insurance adjuster, agent, or other insurance representative. The certificate or letter of authorization must be signed by the insurance commissioner, or his or her deputy or the appropriate licensing official, and must disclose whether the adjuster, agent, or other insurance representative has ever had a any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action. Such certificate or letter is not required if the nonresident applicant's licensing status can be verified through the Producer Database maintained by the National Association of Insurance Commissioners, its affiliates, or subsidiaries.

(3) The usual and customary records pertaining to transactions under the license of a nonresident all-lines independent adjuster must be retained for at least 3 years after completion of the adjustment and must be made available in this state to the department upon request. The failure of a nonresident all-lines independent adjuster to properly maintain records and make them available to the department upon request constitutes grounds for the immediate suspension of the license issued under this section.

(4) After licensure as a nonresident independent adjuster, As a condition of doing business in this state as a nonresident independent adjuster, the appointee must licensee must annually on or before January 1, on a form prescribed by the department, submit an affidavit to the department certifying that the licensee is familiar with and understands the insurance laws and administrative rules of this state and the provisions of the contracts negotiated or to be negotiated. Compliance with this filing requirement is a condition precedent to the issuance, continuation, reinstatement, or renewal of a nonresident independent adjuster's appointment.

Section 43. Section 626.8736, Florida Statutes, is amended to read:

626.8736 Nonresident independent or public adjusters; service of process.—

(1) Each licensed nonresident ~~independent or public adjuster or all-lines adjuster appointed as an independent adjuster~~ shall appoint the Chief Financial Officer and his or her successors in office as his or her attorney to receive service of legal process issued against ~~such the nonresident independent or public~~ adjuster in this state, upon causes of action arising within this state out of transactions under his license and appointment. Service upon the Chief Financial Officer as attorney ~~constitutes shall constitute~~ effective legal service upon the nonresident independent or public adjuster.

(2) The appointment of the Chief Financial Officer for service of process ~~is shall be~~ irrevocable for as long as there could be any cause of action against the nonresident ~~independent or public adjuster or all-lines adjuster appointed as an independent adjuster~~ arising out of his or her insurance transactions in this state.

(3) Duplicate copies of legal process against the nonresident ~~independent or public adjuster or all-lines adjuster appointed as an independent adjuster~~ shall be served upon the Chief Financial Officer by a person competent to serve a summons.

(4) Upon receiving the service, the Chief Financial Officer shall ~~forthwith~~ send one of the copies of the process, by registered mail with return receipt requested, to the defendant nonresident ~~independent or public adjuster or all-lines adjuster appointed as an independent adjuster~~ at his or her last address of record with the department.

(5) The Chief Financial Officer shall keep a record of the day and hour of service upon him or her of all legal process received under this section.

Section 44. Subsection (1) of section 626.874, Florida Statutes, is amended to read:

626.874 Catastrophe or emergency adjusters.—

(1) In the event of a catastrophe or emergency, the department may issue a license, for the purposes and under the conditions ~~which it shall fix~~ and for the period of emergency as it shall determine, to persons who are residents or nonresidents of this state, who are at least 18 years of age, who are United States citizens or legal aliens who possess work authorization from the United States Bureau of Citizenship and Immigration Services, and who are not licensed adjusters under this part but who have been designated and certified to it as qualified to act as adjusters by ~~all-lines independent~~ resident adjusters, ~~or~~ by an authorized insurer, or by a licensed general lines agent to adjust claims, losses, or damages under policies or contracts of insurance issued by such insurers. The fee for the license ~~is shall be~~ as provided in s. 624.501(12)(c).

Section 45. Subsection (1) of section 626.875, Florida Statutes, is amended to read:

626.875 Office and records.—

(1) ~~Each appointed Every licensed independent adjuster and every licensed public adjuster must shall have and maintain in this state~~ a place of business ~~in this state which is~~ accessible to the public and keep therein the usual and customary records pertaining to transactions under the license. This provision ~~does shall not be deemed to~~ prohibit maintenance of such an office in the home of the licensee.

Section 46. Section 626.876, Florida Statutes, is amended to read:

626.876 Exclusive employment; public adjusters, independent adjusters.—

(1) ~~An No~~ individual licensed and appointed as a public adjuster ~~may not shall be so~~ employed during the same period by more than one public adjuster or public adjuster firm or corporation.

(2) ~~An No~~ individual licensed ~~as an all-lines adjuster~~ and appointed as an independent adjuster ~~may not shall be so~~ employed during the same period by more than one independent adjuster or independent adjuster firm or corporation.

Section 47. Subsection (2) of section 626.8796, Florida Statutes, is amended to read:

626.8796 Public adjuster contracts; fraud statement.—

(2) A public adjuster contract relating to a property and casualty claim must contain the full name, permanent business address, and license number of the public adjuster; the full name of the public adjusting firm; and the insured's full name and street address, together with a brief description of the loss. The contract must state the percentage of compensation for the public adjuster's

services; the type of claim, including an emergency claim, nonemergency claim, or supplemental claim; the signatures of the public adjuster and all named insureds; and the signature date. If all of the named insureds' signatures are not available, the public adjuster must submit an affidavit signed by the available named insureds attesting that they have authority to enter into the contract and settle all claim issues on behalf of the named insureds. An unaltered copy of the executed contract must be remitted to the insurer within 30 days after execution. A public adjusting firm that adjusts claims primarily for commercial entities with operations in more than one state and that does not directly or indirectly perform adjusting services for insurers or individual homeowners is deemed to comply with the requirements of this subsection if, at the time a proof of loss is submitted, the public adjusting firm remits to the insurer an affidavit signed by the public adjuster or public adjuster apprentice that identifies:

(a) The full name, permanent business address, and license number of the public adjuster or public adjuster apprentice.

(b) The full name of the public adjusting firm.

(c) The insured's full name and street address, together with a brief description of the loss.

(d) An attestation that the compensation for public adjusting services will not exceed the limitations provided by law.

(e) The type of claim, including an emergency claim, nonemergency claim, or supplemental claim.

#### TITLE AMENDMENT

Remove lines 94-117 and insert:

amending s. 626.865, F.S.; deleting the requirement that an applicant for public adjuster be a resident of the state; requiring an applicant for public adjuster to be licensed as a public adjuster apprentice; amending s. 626.8651, F.S.; deleting the requirement that an applicant for public adjuster apprentice be a resident of the state; providing that a limitation on the number of public adjuster apprentices does not apply to a public adjusting firm that adjusts claims exclusively for institutions that service or guarantee mortgages; amending s. 626.866, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; repealing s. 626.867, F.S., relating to qualifications for company employee adjusters; amending s. 626.869, F.S.; revising provisions relating to an all-lines adjuster license; ceasing the issuance of certain adjuster licenses; revising continuing education requirements; amending s. 626.8697, F.S.; revising provisions relating to the violation of rules resulting in the suspension or revocation of an adjuster's license; amending s. 626.872, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; repealing s. 626.873, F.S., relating to licensure for nonresident company employee adjusters; amending s. 626.8732, F.S.; revising the requirements for nonresident public adjuster licensure; amending s. 626.8734, F.S.; amending provisions relating to nonresident all-lines adjusters; providing for verifying an applicant's status through the National Association of Insurance Commissioners' Producer Database; amending ss. 626.8736, 626.874, 626.875, and 626.876, F.S.; conforming provisions to changes made by the act relating to all-lines adjusters; amending s. 626.8796, F.S.; requiring a public adjusting firm that adjusts claims exclusively for institutions that guarantee or service mortgages to provide an affidavit to an insurer with certain information; amending

Rep. Nelson moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/CS/HB 1343**—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; expanding the purposes for which revenues from the school capital outlay surtax may be used; making the use of surtax revenues for specified additional purposes contingent upon certain school board actions relating to the reduction of certain property taxes during the time surtax is in effect; requiring approval of the electors in order to use the

surtax revenues for the additional purposes authorized by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 7085**—A bill to be entitled An act relating to the Voluntary Prekindergarten Education Program; amending ss. 1002.55, 1002.61, and 1002.63, F.S.; requiring private prekindergarten providers and public schools that deliver the Voluntary Prekindergarten Education Program to execute the statewide provider agreement prescribed by the Office of Early Learning; authorizing the execution of a single agreement on behalf of multiple private prekindergarten providers or public schools under certain circumstances; creating s. 1002.64, F.S.; requiring the Office of Early Learning to adopt rules prescribing the statewide provider agreement; requiring early learning coalitions to use the agreement; providing for the format and content of the agreement; prohibiting an early learning coalition from executing agreements with private prekindergarten providers until the coalition determines that the providers are eligible to deliver the program; providing for publication of the statewide provider agreement and the submission of executed agreements to the Office of Early Learning; requiring the submission of certain proposed rules to the presiding officers of the Legislature within a specified period; amending s. 1002.71, F.S.; revising requirements for the calculation of student enrollment for purposes of initial allocations of funds for the Voluntary Prekindergarten Education Program; providing for the monthly reporting of student enrollment; requiring the Auditor General to conduct audits of early learning coalitions; amending s. 1002.75, F.S.; requiring the Office of Early Learning to monitor and evaluate the performance, finances, and operations of early learning coalitions; amending s. 411.01, F.S.; conforming provisions; repealing ss. 1002.65 and 1002.77, F.S., relating to legislative intent concerning the professional credentials of prekindergarten instructors and the creation, membership, and duties of the Florida Early Learning Advisory Council; providing an effective date.

—was read the second time by title.

#### REPRESENTATIVE PRECOURT IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/CS/HB 921**—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from application of part II of chapter 83, F.S., relating to residential tenancies; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to deposit money and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing that certain changes to disclosure requirements made by this act are conditional; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice and payment procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a

cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; amending s. 723.063, F.S.; providing that a mobile home park owner must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; providing an effective date.

—was read the second time by title.

Representative Stargel offered the following:

(Amendment Bar Code: 336537)

**Amendment 1**—Remove lines 66-67 and insert:  
been rendered may recover reasonable court costs, including attorney  
~~attorney's~~ fees, from the nonprevailing

Rep. Stargel moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

#### Remarks

The Speaker recognized Rep. Kiar, who made brief farewell remarks.

**CS/CS/CS/HB 1163**—A bill to be entitled An act relating to adoption; amending s. 39.802, F.S.; requiring the Department of Children and Family Services to inform the parents of a child of the availability of private placement of the child with an adoption entity in certain circumstances; amending s. 63.022, F.S.; revising legislative intent to delete reference to reporting requirements for placements of minors and exceptions; amending s. 63.032, F.S.; revising definitions; amending s. 63.037, F.S.; exempting adoption proceedings initiated under chapter 39, F.S., from a requirement for a search of the Florida Putative Father Registry; amending s. 63.039, F.S.; providing that all adoptions of minor children require the use of an adoption entity that will assume the responsibilities provided in specified provisions; providing an exception; amending s. 63.0423, F.S.; revising procedures with respect to surrendered infants; providing that an infant who tests positive for illegal drugs, narcotic prescription drugs, alcohol, or other substances, but shows no other signs of child abuse or neglect, shall be placed in the custody of a licensed child-placing agency; providing that a specified reporting requirement is not superseded; providing that when the Department of Children and Family Services is contacted regarding a surrendered infant who does not appear to have been the victim of actual or suspected child abuse or neglect, it shall provide instruction to contact a licensed child-placing agency and may not take custody of the infant; providing an exception; revising provisions relating to scientific testing to determine the paternity or maternity of a minor; amending s. 63.0427, F.S.; prohibiting a court from increasing contact between an adopted child and siblings, birth parents, or other relatives without the consent of the adoptive parent or parents; amending s. 63.052, F.S.; deleting a requirement that a minor be permanently committed to an adoption entity in order for the entity to be guardian of the person of the minor; limiting the circumstances in which an intermediary may remove a child; providing that an intermediary does not become responsible for a minor child's medical bills that were incurred before taking physical custody of the child; providing additional placement options for a minor surrendered to an adoption entity for subsequent adoption when a suitable prospective adoptive home is not available; amending s. 63.053, F.S.; requiring that an unmarried biological father strictly comply with specified provisions in order to protect his interests; amending s. 63.054, F.S.; authorizing submission of an alternative document to the Office of Vital Statistics by the petitioner in each proceeding for termination of parental rights; providing that by filing a claim of paternity form the registrant expressly consents to paying for DNA testing; requiring that an alternative address designated by a registrant be a physical address; providing that the filing of a claim of paternity with the Florida Putative Father Registry does not relieve a person from compliance with specified requirements; amending s. 63.062, F.S.; revising requirements for when a minor's father must be served prior to termination of parental rights; requiring that an unmarried biological

father comply with specified requirements in order for his consent to be required for adoption; revising such requirements; providing that the mere fact that a father expresses a desire to fulfill his responsibilities towards his child which is unsupported by acts evidencing this intent does not meet the requirements; providing for the sufficiency of an affidavit of nonpaternity; providing an exception to a condition to a petition to adopt an adult; amending s. 63.063, F.S.; conforming terminology; amending s. 63.082, F.S.; revising language concerning applicability of notice and consent provisions in cases in which the child is conceived as a result of a violation of criminal law; requiring notice to be provided to the father of a child alleged to be conceived as a result of a violation of criminal law if charges are not filed; providing that a criminal conviction is not required for the court to find that the child was conceived as a result of a violation of criminal law; requiring an affidavit of diligent search to be filed whenever a person who is required to consent is unavailable because the person cannot be located; providing that in an adoption of a stepchild or a relative, a certified copy of the death certificate of the person whose consent is required may be attached to the petition for adoption if a separate petition for termination of parental rights is not being filed; authorizing the execution of an affidavit of nonpaternity before the birth of a minor in preplanned adoptions; revising language of a consent to adoption; providing that a home study provided by the adoption entity shall be deemed to be sufficient except in certain circumstances; providing for a hearing if an adoption entity moves to intervene in a dependency case; requiring the court to provide information to prospective adoptive parents regarding parent training classes in the community upon determining the child dependent; requiring the department to file an acknowledgement of receipt of information; requiring the adoption entity to provide updates to the court at specified intervals; requiring the court and the department to advise a biological parent of the right to participate in private adoption in all dependency cases at the time the petition to terminate parental rights is filed; revising language concerning seeking to revoke consent to an adoption of a child older than 6 months of age; providing that if the consent of one parent is set aside or revoked, any other consents executed by the other parent or a third party whose consent is required for the adoption of the child may not be used by the parent who consent was revoked or set aside to terminate or diminish the rights of the other parent or third party; amending s. 63.085, F.S.; revising language of an adoption disclosure statement; requiring that a copy of a waiver by prospective adoptive parents of receipt of certain records must be filed with the court; amending s. 63.087, F.S.; specifying that a failure to personally appear at a proceeding to terminate parental rights constitutes grounds for termination; amending s. 63.088, F.S.; providing that in a termination of parental rights proceeding if a required inquiry that identifies a father who has been adjudicated by a court as the father of the minor child before the date a petition for termination of parental rights is filed the inquiry must terminate at that point; amending s. 63.089, F.S.; specifying that it is a failure to personally appear that provides grounds for termination of parental rights in certain circumstances; providing additional grounds upon which a finding of abandonment may be made; revising provisions relating to dismissal of petitions to terminate parental rights; providing that contact between a parent seeking relief from a judgment terminating parental rights and a child may be awarded only in certain circumstances; providing for placement of a child in the event that a court grants relief from a judgment terminating parental rights and no new pleading is filed to terminate parental rights; amending s. 63.092, F.S.; requiring that a signed copy of the home study must be provided to the intended adoptive parents who were the subject of the study; amending s. 63.097, F.S.; providing guidelines for a court considering a reasonable attorney fee associated with adoption services; amending s. 63.152, F.S.; authorizing an adoption entity to transmit a certified statement of the entry of a judgment of adoption to the state registrar of vital statistics; amending s. 63.162, F.S.; authorizing a birth parent to petition that court to appoint an intermediary or a licensed child-placing agency to contact an adult adoptee and advise both of the availability of the adoption registry and that the birth parent wishes to establish contact; amending s. 63.167, F.S.; requiring that the state adoption center provide contact information for all adoption entities in a caller's county or, if no adoption entities are located in the caller's county, the number of the nearest adoption entity when contacted for a referral to make an adoption plan; amending s. 63.202, F.S.; revising

terminology in provisions relating to licensing by the department; amending s. 63.212, F.S.; restricting who may place a paid advertisement or paid listing of the person's telephone number offering certain adoption services; requiring of publishers of telephone directories to include certain statements at the beginning of any classified heading for adoption and adoption services; providing requirements for such advertisements; providing criminal penalties for violations; prohibiting the offense of adoption deception by a person who is a birth mother or a woman who holds herself out to be a birth mother; providing criminal penalties; providing liability by violators for certain damages; amending s. 63.213, F.S.; providing that a preplanned adoption arrangement does not constitute consent of a mother to place her biological child for adoption until 48 hours following birth; providing that a volunteer mother's right to rescind her consent in a preplanned adoption applies only when the child is genetically related to her; revising the definitions of the terms "child," "preplanned adoption arrangement," and "volunteer mother"; amending s. 63.222, F.S.; providing that provisions designated as remedial may apply to any proceedings pending on the effective date of the provisions; amending s. 63.2325, F.S.; revising terminology relating to revocation of consent to adoption; providing an effective date.

—was read the second time by title.

Representative Adkins offered the following:

(Amendment Bar Code: 976563)

**Amendment 1 (with title amendment)**—Remove lines 991-994 and insert:

(g) In all dependency proceedings, after it is determined that reunification is not a viable alternative and prior to the filing of a petition for termination of parental rights, the court shall advise the biological parent who is a party to the case of the right to participate in a private adoption plan.

#### TITLE AMENDMENT

Remove lines 107-111 and insert:

specified intervals; requiring the court to advise a biological parent who is a party to a dependency proceeding of the right to participate in a private adoption; revising language concerning seeking

Rep. Adkins moved the adoption of the amendment.

#### THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the adoption of **Amendment 1**, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 867**—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way and public park property in the downtown area of Clearwater; providing that such events require a special event permit from the City of Clearwater; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 593**—A bill to be entitled An act relating to the North St. Lucie River Water Control District, St. Lucie County; providing an expiration date for the district contingent upon the district's submission of a draft codified charter to the Legislature; providing a repeal date for the act if a bill to codify

the charter of the district is not filed by a specified date; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 601**—A bill to be entitled An act relating to the Sebastian Inlet Tax District, Brevard and Indian River Counties; amending chapter 2003-373, Laws of Florida; requiring the members of the district's board of commissioners to be elected by a plurality of the qualified electors of the district; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 619**—A bill to be entitled An act relating to the Fort Pierce Farms Water Control District, St. Lucie County; providing an expiration date for the district contingent upon the district's submission of a draft codified charter to the Legislature; providing a repeal date for the act if a bill to codify the charter of the district is not filed by a specified date; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 1081**—A bill to be entitled An act relating to controlled substances; amending s. 456.44, F.S.; substituting the term "psychiatrist" for the term "physiatrist" in certain instances; adding the American Board of Medical Specialties to recognized certification entities for certain purposes; deleting rheumatoid arthritis from an exception to the definition of the term "chronic nonmalignant pain"; requiring certain physicians prescribing controlled substances listed in Schedule II, Schedule III, or Schedule IV to meet specified requirements; providing exemptions from certain provisions for rheumatologists; amending ss. 458.3265 and 459.0137, F.S.; deleting rheumatoid arthritis from an exception to the definition of the term "chronic nonmalignant pain"; exempting a pain-management clinic owned by a rheumatologist or a physician multispecialty practice from registration with the Department of Health; amending s. 893.13, F.S.; prohibiting the knowing use in another manner of a Schedule II controlled substance intended to be administered orally; providing criminal penalties; amending ss. 893.055, 893.0551, and 921.0022, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 7047**—A bill to be entitled An act relating to sex offenses; amending s. 775.21, F.S.; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; conforming provisions; adding additional offenses to the list of sexual predator qualifying offenses; requiring disclosure of additional information during the sexual predator registration process; requiring that a sexual predator who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff's office within a specified period after such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified period; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 800.03, F.S.; providing enhanced penalties for third or subsequent indecent exposure violations; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term "instant message

name" with the definition of the term "Internet identifier"; conforming provisions; requiring disclosure of additional sexual offender registration information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff's office within a specified period of such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; providing additional requirements for sexual offenders intending to reside outside of the United States; revising criteria applicable to provisions allowing removal from the requirement to register as a sexual offender; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 943.04351, F.S.; requiring a specified national search of registration information regarding sexual predators and sexual offenders prior to appointment or employment of persons by state agencies and governmental subdivisions; amending s. 943.04354, F.S.; revising the criteria applicable to provisions allowing removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; replacing the term "instant message name" with the term "Internet identifier"; amending ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; conforming provisions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 947.005, F.S.; revising the definition of the term "risk assessment"; amending s. 948.31, F.S.; authorizing the court to require sexual offenders and sexual predators who are on probation or community control to undergo an evaluation to determine whether the offender or predator needs sexual offender treatment; requiring the probationer or community controllee to pay for the treatment; removing a provision prohibiting contact with minors if sexual offender treatment is recommended; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 921.0022, F.S.; correcting references; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 431**—A bill to be entitled An act relating to the joint use of public school facilities; creating s. 1013.105, F.S.; providing legislative findings; encouraging each district school board to adopt written policies to promote public access to outdoor recreation and sports facilities on school property, to increase the number of joint-use agreements, and to develop and adopt policies and procedures for an appeal process if negotiations for a joint-use agreement fail; providing duties of district school boards and the Department of Education; creating s. 768.072, F.S.; providing immunity from liability for a district school board that adopts public access policies or enters into a joint-use agreement except in instances of gross negligence or intentional misconduct; defining the term "gross negligence"; providing application; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 975**—A bill to be entitled An act relating to the Pasco County Housing Authority, Pasco County; providing for the appointment of commissioners of the Pasco County Housing Authority by the Board of County Commissioners of Pasco County; providing an exception to general law; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 699**—A bill to be entitled An act relating to the East Lake Tarpon Community, Pinellas County; providing requirements for the municipal annexation of the East Lake Tarpon Community; requiring a referendum of



the electors within the community before such annexation; providing exceptions; describing the community boundaries; providing for expiration; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 1101**—A bill to be entitled An act relating to insurance; amending s. 320.27, F.S.; exempting salvage motor vehicle dealers from having to carry certain types of insurance coverage under certain circumstances; amending s. 624.501, F.S.; conforming a cross-reference; amending s. 624.610, F.S.; revising provisions specifying which insurers are not subject to certain filing requirements relating to reinsurance; amending s. 626.261, F.S.; authorizing the Department of Financial Services to provide examinations in Spanish; providing for costs to be paid by applicants who request examinations in Spanish; providing a requirement with respect to whether an examination in Spanish should be allowed; amending s. 626.321, F.S.; revising provisions relating to limited licenses for travel insurance; providing that a full-time salaried employee of a licensed general lines agent or a business entity that offers travel planning services may be issued such license under certain circumstances; creating s. 626.8685, F.S.; exempting certain employees who conduct data entry from licensure as insurance adjusters under certain circumstances; defining the term "automated claims adjudication system" with respect to application of such exemption; prohibiting residents of Canada from licensure as nonresident independent adjusters under certain circumstances; amending s. 626.916, F.S.; revising the disclosure statement signed by an insured placing coverage in the surplus lines market; amending s. 626.9541, F.S.; providing an additional action that is a misrepresentation and false advertising of insurance policies; amending s. 627.351, F.S.; increasing the amount of surplus as to policyholders that certain insurers who are members of a plan to equitably apportion or share windstorm coverage may have in order to petition the Department of Financial Services to qualify as a limited apportionment company; requiring the Citizens Property Insurance Corporation to offer certain policies; specifying acceptable valuations for replacement costs; amending s. 627.7015, F.S.; revising provisions relating to alternative procedures for the resolution of disputed property insurance claims; amending s. 627.706, F.S.; providing for renewal of property insurance policies maintaining sinkhole coverage; amending s. 627.707, F.S.; providing a definition; amending s. 627.7295, F.S.; clarifying provisions relating to cancellation for nonpayment of premiums for motor vehicle insurance; allowing the cancellation of such policies under certain circumstances; amending s. 627.736, F.S.; specifying the interest rate applicable to the accrual of interest on overdue payments of personal injury protection benefits; amending s. 627.7405, F.S.; providing an exception for liability for right of reimbursement; amending s. 628.901, F.S.; providing definitions; amending s. 628.905, F.S.; expanding the kinds of insurance for which a captive insurer may seek licensure; limiting the risks that certain captive insurers may insure; specifying requirements and conditions relating to a captive insurer's authority to conduct business; requiring that before licensure certain captive insurers must file or submit to the Office of Insurance Regulation specified information, documents, and statements; requiring a captive insurance company to file specific evidence with the office relating to the financial condition and quality of management and operations of the company; specifying certain fees to be paid by captive insurance companies; authorizing a foreign or alien captive insurance company to become a domestic captive insurance company by complying with specified requirements; authorizing the office to waive any requirements for public hearings relating to the redomestication of an alien captive insurance company; creating s. 628.906, F.S.; requiring biographical affidavits, background investigations, and fingerprint cards for all officers and directors; providing restrictions on officers and directors involved with insolvent insurers under certain conditions; providing restrictions on officers and directors that are found guilty of, or have pleaded guilty or nolo contendere to, any felony or crime involving moral turpitude, including a crime of dishonesty or breach of trust; amending s. 628.907, F.S.; revising capitalization requirements for specified captive insurance companies; requiring capital of specified captive insurance companies to be held in

certain forms; requiring contributions to captive insurance companies that are stock insurer corporations to be in a certain form; authorizing the office to issue a captive insurance company license conditioned upon certain evidence relating to possession of specified capital; authorizing revocation of a conditional license under certain circumstances; authorizing the office to prescribe certain additional capital and net asset requirements; requiring such additional requirements relating to capital and net assets to be held in specified forms; requiring dividends or distributions of capital or surplus to meet certain conditions and be approved by the office; requiring certain irrevocable letters of credit to meet certain standards; creating s. 628.908, F.S.; prohibiting the issuance of a license to specified captive insurance companies unless such companies possess and maintain certain levels of unimpaired surplus; authorizing the office to condition issuance of a captive insurance company license upon the provision of certain evidence relating to the possession of a minimum amount of unimpaired surplus; authorizing revocation of a conditional license under certain circumstances; requiring dividends or distributions of capital or surplus to meet certain conditions and be approved by the office; requiring certain irrevocable letters of credit to meet certain standards; amending s. 628.909, F.S.; providing for applicability of certain statutory provisions to specified captive insurers; creating s. 628.910, F.S.; providing requirements, options, and conditions relating to how a captive insurance company may be incorporated or organized as a business; amending s. 628.911, F.S.; providing reporting requirements for specified captive insurance companies and captive reinsurance companies; creating s. 628.912, F.S.; authorizing a captive reinsurance company to discount specified losses subject to certain conditions; amending s. 628.913, F.S.; authorizing a captive reinsurance company to apply to the office for licensure to write reinsurance covering property and casualty insurance or reinsurance contracts; authorizing the office to allow a captive reinsurance company to write reinsurance contracts covering risks in any state; specifying that a captive reinsurance company is subject to specified requirements and must meet specified conditions in order to conduct business in this state; creating s. 628.914, F.S.; specifying requirements and conditions relating to the capitalization or maintenance of reserves by a captive reinsurance company; creating s. 628.9141, F.S.; specifying requirements and conditions relating to the incorporation of a captive reinsurance company; creating s. 628.9142, F.S.; providing for the effect on reserves of certain actions taken by a captive insurance company relating to providing reinsurance for specified risks; creating s. 628.918, F.S.; requiring a specified percentage of a captive reinsurance company's assets to be managed by an asset manager domiciled in this state; creating s. 628.919, F.S.; authorizing the Financial Services Commission to adopt rules establishing certain standards for control of an unaffiliated business by a parent or affiliated company relating to coverage by a pure captive insurance company; creating s. 628.920, F.S.; requiring that a licensed captive insurance company must be considered for issuance of a certificate of authority as an insurer under certain circumstances; amending s. 626.7491, F.S.; conforming a cross-reference; repealing s. 628.903, F.S., relating to the definition of the term "industrial insured captive insurer," to conform to changes made by the act; amending s. 631.271, F.S.; providing for priority of interest on allowed claims; providing that if this act and certain legislation become law in the same legislative session or an extension thereof, a surplus lines insurer removing policies from the Citizens Property Insurance Corporation must maintain a specified financial rating; providing effective dates.

—was read the second time by title.

Representative Homer offered the following:

(Amendment Bar Code: 658053)

**Amendment 1 (with title amendment)**—Between lines 248 and 249, insert:

Section 2. Paragraph (e) of subsection (1) of section 624.4625, Florida Statutes, is amended, subsection (5) of that section is renumbered as subsection (6), and a new subsection (5) is added to that section, to read:

624.4625 Corporation not for profit self-insurance funds.—

(1) Notwithstanding any other provision of law, any two or more corporations not for profit located in and organized under the laws of this state may form a self-insurance fund for the purpose of pooling and spreading liabilities of its group members in any one or combination of property or casualty risk, provided the corporation not for profit self-insurance fund that is created:

(e) Maintains a continuing program of excess insurance coverage and reserve evaluation to protect the financial stability of the fund in an amount and manner determined by a qualified actuary. At a minimum, this program must:

1. Purchase excess insurance from authorized insurance carriers or eligible surplus lines insurers or reinsurers.

2. Retain a per-loss occurrence that does not exceed \$350,000.

(5) A corporation not for profit self-insurance fund formed under this section, which is hereby deemed to be an association in compliance with s. 627.654, may purchase for its members, on a group basis, any one or more policies of health, accident, or hospitalization coverage, provided:

(a) Insurance policies purchased to provide coverage under this subsection are purchased only from authorized insurance companies that participate in the Florida Life and Health Insurance Guaranty Association and such policy forms have been filed with and approved by the office;

(b) The corporation not for profit self-insurance fund retains no risk related to coverage provided under this subsection;

(c) An insurance policy purchased to provide coverage under this subsection shall not be subject to the restrictions relating to the premium rates for small employer groups under chapter 627;

(d) The premiums paid for insurance policies purchased pursuant to paragraph (a) shall not count toward the \$5 million requirement in paragraph (1)(a); and

(e) Any individual not-for-profit entity participating as a member of the association for the purchase of a master health, accident, or hospitalization policy by the association under this subsection may retain its individual insurance agent and such agent shall be deemed an additional agent of record for the master policy issued to the association.

#### TITLE AMENDMENT

Remove line 5 and insert:

under certain circumstances; amending s. 624.4625, F.S.; authorizing corporation not for profit self-insurance funds that are required to maintain a continuing program of excess insurance coverage and reserve evaluation to purchase excess insurance from eligible surplus lines insurers or reinsurers; authorizing certain corporation not for profit self-insurance funds to purchase certain group insurance coverage for its members; providing requirements and conditions relating to such purchases; amending s. 624.501,

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 177327)

**Amendment 2 (with title amendment)**—Between lines 248 and 249, insert:

Section 1. Subsection (8) of section 624.402, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

624.402 Exceptions, certificate of authority required.—A certificate of authority shall not be required of an insurer with respect to:

(8)(a) An insurer domiciled outside the United States covering only persons who, at the time of issuance or renewal, are nonresidents of the United States if:

1. The insurer ~~or any affiliated person as defined in s. 624.04 under common ownership or control with the insurer~~ does not solicit, sell, or accept application for any insurance policy or contract to be delivered or issued for delivery to any person in any state;

2. The insurer registers with the office via a letter of notification upon commencing business from this state;

3. The insurer provides the following information, in English, to the office annually by March 1:

a. The name of the insurer; the country of domicile; the address of the insurer's principal office and office in this state; the names of the owners of the insurer and their percentage of ownership; the names of the officers and directors of the insurer; the name, e-mail, and telephone number of a contact person for the insurer; and the number of individuals who are employed by the insurer or its affiliates in this state;

b. The lines of insurance and types of products offered by the insurer;

c. A statement from the applicable regulatory body of the insurer's domicile certifying that the insurer is licensed or registered for those lines of insurance and types of products in that domicile; and

d. A copy of the filings required by the applicable regulatory body of the insurer's country of domicile in that country's official language or in English, if available;

4. All certificates, policies, or contracts issued in this state showing coverage under the insurer's policy include the following statement in a contrasting color and at least 10-point type: "The policy providing your coverage and the insurer providing this policy have not been approved by the Florida Office of Insurance Regulation"; and

5. ~~If in the event~~ the insurer ceases to do business from this state, the insurer will provide written notification to the office within 30 days after cessation.

(b) For purposes of this subsection, "nonresident" means a trust or other entity organized and domiciled under the laws of a country other than the United States or a person who resides in and maintains a physical place of domicile in a country other than the United States, which he or she recognizes as and intends to maintain as his or her permanent home. A nonresident does not include an unauthorized immigrant present in the United States. Notwithstanding any other provision of law, it is conclusively presumed, for purposes of this subsection, that a person is a resident of the United States if such person has:

1. Had his or her principal place of domicile in the United States for 180 days or more in the 365 days prior to issuance or renewal of the policy;

2. Registered to vote in any state;

3. Made a statement of domicile in any state; or

4. Filed for homestead tax exemption on property in any state.

(c) Subject to the limitations provided in this subsection, services, including those listed in s. 624.10, may be provided by the insurer or an affiliated person as defined in s. 624.04 under common ownership or control with the insurer.

(d) An alien insurer transacting insurance in this state without complying with this subsection shall be in violation of this chapter and subject to the penalties provided in s. 624.15.

(9)(a) Life insurance policies or annuity contracts may be solicited, sold, or issued in this state by an insurer domiciled outside the United States, covering only persons who, at the time of issuance are nonresidents of the United States, provided that:

1. The insurer is currently an authorized insurer in his or her country of domicile as to the kind or kinds of insurance proposed to be offered and must have been such an insurer for not fewer than the immediately preceding 3 years, or must be the wholly owned subsidiary of such authorized insurer or must be the wholly owned subsidiary of an already eligible authorized insurer as to the kind or kinds of insurance proposed for a period of not fewer than the immediately preceding 3 years. However, the office may waive the 3-year requirement if the insurer has operated successfully for a period of at least the immediately preceding year and has capital and surplus of not less than \$25 million.

2. Before the office may grant eligibility, the requesting insurer furnishes the office with a duly authenticated copy of its current annual financial statement, in English, and with all monetary values therein expressed in United States dollars, at an exchange rate then-current and shown in the statement, in the case of statements originally made in the currencies of other countries, and with such additional information relative to the insurer as the office may request.

3. The insurer has and maintains surplus as to policyholders of not less than \$15 million. Any such surplus as to policyholders shall be represented

by investments consisting of eligible investments for like funds of like domestic insurers under part II of chapter 625; however, any such surplus as to policyholders may be represented by investments permitted by the domestic regulator of such alien insurance company if such investments are substantially similar in terms of quality, liquidity, and security to eligible investments for like funds of like domestic insurers under part II of chapter 625.

4. The insurer has of good reputation as to providing service to its policyholders and the payment of losses and claims.

5. To maintain eligibility, the insurer furnishes the office within the time period specified in s. 624.424(1), a duly authenticated copy of its current annual and quarterly financial statements, in English, and with all monetary values therein expressed in United States dollars, at an exchange rate then-current and shown in the statement, in the case of statements originally made in the currencies of other countries, and with such additional information relative to the insurer as the office may request.

6. An insurer receiving eligibility under this subsection agrees to make its books and records pertaining to its operations in this state available for inspection during normal business hours upon request of the office.

7. The insurer notifies the applicant in clear and conspicuous language:

a. The date of organization of the insurer.

b. The identity of and rating assigned by each recognized insurance company rating organization that has rated the insurer or, if applicable, that the insurer is unrated.

c. That the insurer does not hold a certificate of authority issued in this state and that the office does not exercise regulatory oversight over the insurer.

d. The identity and address of the regulatory authority exercising oversight of the insurer. This paragraph does not impose upon the office any duty or responsibility to determine the actual financial condition or claims practices of any unauthorized insurer, and the status of eligibility, if granted by the office, indicates only that the insurer appears to be financially sound and to have satisfactory claims practices and that the office has no credible evidence to the contrary.

(b) If the office has reason to believe that an insurer issuing policies or contracts pursuant to this subsection is insolvent or is in unsound financial condition, does not make reasonable prompt payment of benefits, or is no longer eligible under the conditions specified in this subsection, the office may conduct an examination or investigation in accordance with s. 624.316, s. 624.3161, or s. 624.320 and, if the findings of the examination or investigation warrant, may withdraw the eligibility of the insurer to issue policies or contracts pursuant to this subsection without having a certificate of authority issued by the office.

(c) This subsection does not provide an exception to the agent licensure requirements of chapter 626. A insurer issuing policies or contracts pursuant to this subsection shall appoint the agents that the insurer uses to sell such policies or contracts as provided in chapter 626.

(d) An insurer issuing policies or contracts pursuant to this subsection is subject to part IX of chapter 626, the Unfair Insurance Trade Practices Act, and the office may take such actions against the insurer for a violation as are provided in that part.

(e) Policies and contracts issued pursuant to this subsection are not subject to the premium tax specified in s. 624.509.

(f) Applications for life insurance coverage offered under this subsection must contain, in contrasting color and not less than 12-point type, the following statement on the same page as the applicant's signature:

This policy is primarily governed by the laws of a foreign country. As a result, all of the rating and underwriting laws applicable to policies filed in this state do not apply to this coverage, which may result in your premiums being higher than would be permissible under a Florida-approved policy. A purchase of individual life insurance should be considered carefully, as future medical conditions may make it impossible to qualify for another individual life policy. If the insurer issuing your policy becomes insolvent, this policy is not covered by the Florida Life and Health Insurance Guaranty Association. For information concerning individual life coverage under a Florida-approved policy, consult your agent or the Florida Department of Financial Services.

(g) All life insurance policies and annuity contracts issued pursuant to this subsection must contain on the first page of the policy or contract, in contrasting color and not less than 10-point type, the following statement:

The benefits of the policy providing your coverage are governed primarily by the law of a country other than the United States.

(h) All single-premium life insurance policies and single-premium annuity contracts issued to persons who are not residents of the United States and are not nonresidents illegally residing in the United States pursuant to this subsection are subject to chapter 896.

(i) For purposes of this subsection, the term "nonresident" means a trust or other entity or person as defined in subsection 624.402(8).

(j) An alien insurer transacting insurance in this state without complying with this subsection is in violation of this chapter and subject to the penalties provided in s. 624.15, and must also pay the fine required for each violation as prescribed by s. 626.910.

#### TITLE AMENDMENT

Remove line 6 and insert:

F.S.; conforming a cross-reference; amending s. 624.402, F.S.; revising provisions relating to determining whether the domicile of an insurer is outside the United States for certain purposes; providing that life insurance policies or annuity contracts may be solicited, sold, or issued in this state by insurers domiciled outside the United States in certain circumstances; amending s.

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 269497)

**Amendment 3 (with title amendment)**—Remove lines 364-547 and insert:

policies or certificates under ~~this~~ subparagraph 2. or subparagraph 3. to receive initial training from a general lines agent or an insurer authorized under chapter 624 to transact insurance within this state. For an entity applying for a license as a travel insurance agent, the fingerprinting requirement of this section applies only to the president, secretary, and treasurer and to any other officer or person who directs or controls the travel insurance operations of the entity.

Section 6. Effective January 1, 2013, section 626.8685, Florida Statutes, is created to read:

626.8685 Portable electronics insurance claims; exemption; licensure restriction.—

(1) This part does not apply to any individual who collects claims information from, or furnishes claims information to, insureds or claimants, and who conducts data entry, including entering data into an automated claims adjudication system, provided that the individual is an employee of a business entity licensed under this chapter, or its affiliate, and no more than 25 such persons are under the supervision of one licensed independent adjuster or licensed agent who is exempt from licensure pursuant to s. 626.862. For purposes of this subsection, the term "automated claims adjudication system" means a preprogrammed computer system designed for the collection, data entry, calculation, and final resolution of portable electronics insurance claims that:

(a) May be used only by a licensed independent adjuster, licensed agent, or supervised individual operating pursuant to this subsection;

(b) Must comply with all claims payment requirements of the insurance code; and

(c) Must be certified as compliant with this subsection by a licensed independent adjuster that is an officer of a licensed business entity under this chapter.

(2) Notwithstanding any other provision of law, a resident of Canada may not be licensed as a nonresident independent adjuster for purposes of adjusting

portable electronics insurance claims unless the person has successfully obtained an adjuster's license in another state.

#### TITLE AMENDMENT

Remove lines 28-33 and insert:  
certain circumstances; amending s. 627.351, F.S.;

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 528357)

**Amendment 4 (with title amendment)**—Remove lines 425-439 and insert:

Section 8. Section 626.9201, Florida Statutes, is amended to read:

626.9201 Notice of cancellation or nonrenewal.—

(1) An insurer issuing a policy providing coverage for property, casualty, surety, or marine insurance must ~~shall~~ give the first named insured at least 45 days' advance written notice of nonrenewal. If the policy is not to be renewed, the written notice shall state the reason or reasons as to why the policy is not to be renewed. This subsection does not apply:

(a) If the insurer has manifested its willingness to renew, and the offer is not rescinded prior to expiration of the policy; or

(b) If a notice of cancellation for nonpayment of premium is provided under subsection (2).

(2) An insurer issuing a policy providing coverage for property, casualty, surety, or marine insurance must ~~shall~~ give the named insured written notice of cancellation or termination other than nonrenewal at least 45 days before ~~prior to~~ the effective date of the cancellation or termination, including in the written notice the reason or reasons for the cancellation or termination, except that:

(a) If ~~When~~ cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason for cancellation must ~~therefor~~ shall be given. As used in this paragraph, the term "nonpayment of premium" means the failure of the named insured to discharge when due any of his or her obligations in connection with the payment of premiums on a policy or an installment of such a premium, whether the premium or installment is payable directly to the insurer or its agent or indirectly under any plan for financing premiums or extension of credit or the failure of the named insured to maintain membership in an organization if such membership is a condition precedent to insurance coverage. The term also includes the failure of a financial institution to honor the check of an applicant for insurance which was delivered to a licensed agent for payment of a premium, even if the agent previously delivered or transferred the premium to the insurer. If a correctly dishonored check represents payment of the initial premium, the contract and all contractual obligations are void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and, if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full; and

(b) If ~~When such~~ cancellation or termination occurs during the first 90 days during which the insurance is in force and if the insurance is canceled or terminated for reasons other than nonpayment, at least 20 days' written notice of cancellation or termination accompanied by the reason for cancellation or termination must ~~therefor shall~~ be given, except if ~~where~~ there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

(3) If an insurer fails to provide the 45-day or 20-day written notice as required under this section, the coverage provided to the named insured remains ~~shall remain~~ in effect until 45 days after the notice is given or until the effective date of replacement coverage obtained by the named insured, whichever occurs first. The premium for the coverage remains ~~shall remain~~ the same during any such extension period.

Section 9. Paragraphs (a) and (h) of subsection (1) of section 626.9541, Florida Statutes, are amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(a) Misrepresentations and false advertising of insurance policies.—Knowingly making, issuing, circulating, or causing to be made, issued, or circulated, any estimate, illustration, circular, statement, sales presentation, omission, ~~or~~ comparison, or property and casualty certificate of insurance altered after being issued, which:

#### TITLE AMENDMENT

Remove line 30 and insert:

placing coverage in the surplus lines market; amending s. 626.9201, F.S.; providing specified exemptions from the requirement that an insurer provide notification of nonrenewal to an insured; amending

Rep. Horner moved the adoption of the amendment.

Representative Horner offered the following:

(Amendment Bar Code: 504753)

**Amendment 1 to Amendment 4**—Remove line 28 of the amendment and insert:

reason for cancellation must ~~therefor shall~~ be given. As used in

Rep. Horner moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 4**, as amended, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 303525)

**Amendment 5**—Remove line 1115 and insert:

a basic personal lines policy similar to an HO-8 policy with dwelling repair based on common construction materials and methods.

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 561237)

**Amendment 6 (with title amendment)**—Between lines 1614 and 1615, insert:

Section 10. Section 627.6011, Florida Statutes, is created to read:

627.6011 Mandated coverages.—Mandatory health benefits regulated under this chapter are not intended to apply to the types of health benefit plans listed in s. 627.6561(5)(b)-(e), issued in any market, unless specifically designated otherwise. For purposes of this section, the term "mandatory health benefits" means those benefits set forth in ss. 627.6401-627.64193, and any other mandatory treatment or health coverages or benefits enacted on or after July 1, 2012.

Section 11. Paragraph (d) of subsection (3) of section 627.6699, Florida Statutes, is amended to read:

627.6699 Employee Health Care Access Act.—

(3) DEFINITIONS.—As used in this section, the term:

(d) "Carrier" means a person who provides health benefit plans in this state, including an authorized insurer, a health maintenance organization, a multiple-employer welfare arrangement, or any other person providing a health benefit plan that is subject to insurance regulation in this state. However, the term does not include a multiple-employer welfare arrangement or voluntary employees' beneficiary association, as defined under 26 U.S.C. s. 501(c)(9), which multiple-employer welfare arrangement or voluntary employees' beneficiary

association operates solely for the benefit of the members or the members and the employees of such members, is located in this state, and was in existence on January 1, 1992. The term also does not include any authorized insurer or health maintenance organization to the extent that it insures the members or the members and the employees of such members of such multiple-employer welfare arrangement or voluntary employees' beneficiary association in existence on January 1, 1992.

#### TITLE AMENDMENT

Remove line 41 and insert:

acceptable valuations for replacement costs; creating s. 627.6011, F.S.; providing legislative intent relating to the application of certain mandatory health benefits regulated under ch. 627, F.S.; defining the term "mandatory health benefits"; amending s. 627.6699, F.S.; revising the definition of the term "carrier" for purposes of the Employee Health Care Access Act; amending

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 111633)

**Amendment 7**—Remove lines 1680-1683 and insert:

(e) With respect to a windstorm or hurricane loss that does not comply with s. 627.70132.

Rep. Horner moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 1323**—A bill to be entitled An act relating to metal theft; amending s. 538.23, F.S.; increasing the criminal penalties for specified violations relating to secondary metals recycling; providing increased criminal penalties for third and subsequent criminal violations; amending s. 812.145, F.S.; providing a definition; prohibiting removing or assisting with the removal of copper or other nonferrous metals from an electrical substation site without authorization of the utility; providing criminal penalties; providing an effective date.

—was read the second time by title.

Rep. Drake moved that a late-filed amendment be allowed for consideration, which was not agreed to by the required two-thirds vote.

Representative Drake offered the following:

(Amendment Bar Code: 281145)

**Amendment 1 (with title amendment)**—Remove lines 44-45 and insert:

(3) A person who knowingly and intentionally removes copper or other nonferrous metals

#### TITLE AMENDMENT

Remove lines 7-8 and insert:

F.S.; providing a definition; prohibiting removing copper or other

Rep. Drake moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk

**CS/CS/HB 1419**—A bill to be entitled An act relating to health care facilities; amending s. 83.42, F.S., relating to exclusions from part II of ch. 83, F.S., the Florida Residential Landlord and Tenant Act; clarifying that the procedures in s. 400.0255, F.S., for transfers and discharges are exclusive to residents of a nursing home licensed under part II of ch. 400, F.S.; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting a provision

regarding retroactivity of the act; deleting a provision that the act does not abrogate the right of an employer under state law to conduct drug tests before a specified date; deleting a provision that requires a laboratory to submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants; amending s. 318.21, F.S.; providing that a portion of the additional fines assessed for traffic violations within an enhanced penalty zone be remitted to the Department of Revenue and deposited into the Brain and Spinal Cord Injury Trust Fund of the Department of Health to serve certain Medicaid recipients; amending s. 383.011, F.S.; requiring the Department of Health to establish an interagency agreement with the Department of Children and Family Services for management of the Special Supplemental Nutrition Program for Women, Infants, and Children; specifying responsibilities of each department; repealing s. 383.325, F.S., relating to confidentiality of inspection reports of a licensed birth center facilities; creating s. 385.2031, F.S.; designating the Florida Hospital/Sanford-Burnham Translational Research Institute for Metabolism and Diabetes as a resource for research in the prevention and treatment of diabetes; amending s. 394.4787, F.S.; conforming a cross-reference; amending s. 395.002, F.S.; revising and deleting definitions applicable to the regulation of hospitals and other licensed facilities; conforming a cross-reference; amending s. 395.003, F.S.; deleting an obsolete provision; conforming a cross-reference; amending s. 395.0161, F.S.; deleting a requirement that facilities licensed under part I of ch. 395, F.S., pay licensing fees at the time of inspection; amending s. 395.0193, F.S.; requiring a licensed facility to report certain peer review information and final disciplinary actions to the Division of Medical Quality Assurance of the Department of Health rather than the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.1023, F.S.; providing for the Department of Children and Family Services rather than the Department of Health to perform certain functions with respect to child protection cases; requiring certain hospitals to notify the Department of Children and Family Services of compliance; amending s. 395.1041, F.S., relating to hospital emergency services and care; deleting obsolete provisions; repealing s. 395.1046, F.S., relating to procedures employed by the Agency for Health Care Administration when investigating complaints against hospitals; amending s. 395.1055, F.S.; requiring additional housekeeping and sanitation procedures in licensed facilities for infection control purposes; authorizing the Agency for Health Care Administration to impose a fine for failure to comply with housekeeping and sanitation procedures requirements; requiring that licensed facility beds conform to standards specified by the Agency for Health Care Administration, the Florida Building Code, and the Florida Fire Prevention Code; amending s. 395.3025, F.S.; authorizing the disclosure of patient records to the Department of Health rather than the Agency for Health Care Administration in accordance with an issued subpoena; requiring the department, rather than the agency, to make available, upon written request by a practitioner against whom probable cause has been found, any patient records that form the basis of the determination of probable cause; amending s. 395.3036, F.S.; correcting a cross-reference; repealing s. 395.3037, F.S., relating to redundant definitions for the Department of Health and the Agency for Health Care Administration; amending s. 395.401, F.S.; deleting local need assessment for the establishment of trauma centers; amending s. 395.402, F.S.; deleting department rulemaking authority for determination of the number and location of trauma centers in the state; amending s. 395.4025, F.S.; deleting department authority with respect to the selection of hospitals designated as trauma centers; deleting timelines for the submission of applications from hospitals seeking to be designated as trauma centers; amending ss. 154.11, 394.741, 395.3038, 400.925, 400.9935, 408.05, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, and the Council on Accreditation to conform to their current designations; amending s. 395.602, F.S.; revising the definition of the term "rural hospital" to delete an obsolete provision; amending s. 400.021, F.S.; revising the definitions of the terms "geriatric outpatient clinic" and "resident care plan"; amending s. 400.0239, F.S.; conforming a provision to changes made by the act; amending s. 400.0255, F.S.; revising provisions relating to hearings on resident transfer or

discharge; amending s. 400.063, F.S.; deleting an obsolete cross-reference; amending s. 400.071, F.S.; deleting provisions requiring a license applicant to submit a signed affidavit relating to financial or ownership interests, the number of beds, copies of civil verdicts or judgments involving the applicant, and a plan for quality assurance and risk management; amending s. 400.0712, F.S.; revising provisions relating to the issuance of inactive licenses; amending s. 400.111, F.S.; providing that a licensee must provide certain information relating to financial or ownership interests if requested by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising requirements relating to nursing home facility grievance reports; amending s. 400.141, F.S.; revising provisions relating to the provision of respite care in a facility; deleting requirements for the submission of certain reports to the agency relating to ownership interests, staffing ratios, and bankruptcy; deleting an obsolete provision; amending s. 400.142, F.S.; deleting the agency's authority to adopt rules relating to orders not to resuscitate; amending s. 400.147, F.S.; revising provisions relating to adverse incident reports; deleting certain reporting requirements; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.19, F.S.; revising provisions relating to agency inspections of nursing home facilities; amending s. 400.191, F.S.; authorizing the facility to charge a fee for copies of resident records; amending s. 400.23, F.S.; specifying the content of rules relating to nursing home facility staffing requirements for residents under 21 years of age; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; amending s. 400.462, F.S.; revising the definition of "remuneration" to exclude items having a value of \$15 or less; amending s. 400.484, F.S.; revising the classification of violations by a home health agency for which the agency imposes an administrative fine; amending s. 400.506, F.S.; deleting language relating to exemptions from penalties imposed on nurse registries if a nurse registry does not bill the Florida Medicaid Program; authorizing an administrator to manage up to five nurse registries under certain circumstances; requiring an administrator to designate, in writing, for each licensed entity, a qualified alternate administrator to serve during the administrator's absence; amending s. 400.509, F.S.; providing that organizations that provide companion or homemaker services only to persons with developmental disabilities, under contract with the Agency for Persons with Disabilities, are exempt from registration with the Agency for Health Care Administration; reenacting ss. 400.464(5)(b) and 400.506(6)(a), F.S., relating to home health agencies and licensure of nurse registries, respectively, to incorporate the amendment made to s. 400.509, F.S., in references thereto; amending s. 400.601, F.S.; revising the definition of the term "hospice" to include limited liability companies; amending s. 400.606, F.S.; revising the content requirements of the plan accompanying an initial or change-of-ownership application for licensure of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.915, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.931, F.S.; requiring each applicant for initial licensure, change of ownership, or license renewal to operate a licensed home medical equipment provider at a location outside the state to submit documentation of accreditation, or an application for accreditation, from an accrediting organization that is recognized by the Agency for Health Care Administration; requiring an applicant that has applied for accreditation to provide proof of accreditation within a specified time; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency; amending s. 400.967, F.S.; revising the classification of violations by intermediate care facilities for the developmentally disabled; providing a penalty for certain violations; amending s. 400.9905, F.S.; revising the definitions of the terms "clinic" and "portable equipment provider"; revising requirements for an application for exemption from health care clinic licensure requirements for certain entities; providing for the agency to deny or revoke the exemption under certain circumstances; including health services provided to multiple locations within the definition of the term "portable health service or equipment provider"; amending s. 400.991, F.S.; conforming terminology; revising application requirements relating to documentation of financial ability to operate a mobile clinic; amending s. 408.033, F.S.; providing that fees assessed on selected health care facilities and organizations may be collected

prospectively at the time of licensure renewal and prorated for the licensing period; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; deleting an exemption from certain certificate-of-need review requirements for a hospice or a hospice inpatient facility; amending s. 408.037, F.S.; revising requirements for the financial information to be included in an application for a certificate of need; amending s. 408.043, F.S.; revising requirements for certain freestanding inpatient hospice care facilities to obtain a certificate of need; amending s. 408.061, F.S.; revising data reporting requirements for health care facilities; amending s. 408.07, F.S.; deleting a cross-reference; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; amending s. 408.802, F.S.; removing applicability of part II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.8065, F.S.; revising the requirements for becoming licensed as a home health agency, home medical equipment provider, or health care clinic; amending s. 408.809, F.S.; revising provisions to include a schedule for background rescreenings of certain employees; amending s. 408.810, F.S.; requiring that the controlling interest of a health care licensee notify the agency of certain court proceedings; providing a penalty; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of part II of ch. 408, F.S.; amending s. 409.912, F.S.; revising provisions requiring the agency to post certain information relating to drugs subject to prior authorization on its Internet website; providing a definition of the term "step-edit"; amending s. 409.9122, F.S.; clarifying that until the time of recipient enrollment all hospitals shall be deemed to be a part of a managed care plan's network in its application for participation; amending s. 429.11, F.S.; revising licensure application requirements for assisted living facilities to eliminate provisional licenses; amending s. 429.71, F.S.; revising the classification of violations by adult family-care homes; amending s. 429.195, F.S.; providing exceptions to applicability of assisted living facility rebate restrictions; amending s. 429.915, F.S.; revising agency responsibilities regarding the issuance of conditional licenses; amending ss. 430.80, 430.81, and 651.118, F.S.; conforming cross-references; amending s. 440.102, F.S.; removing a requirement that a laboratory submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants to the Agency for Health Care Administration; amending s. 468.1695, F.S.; providing that a health services administration or an equivalent major shall satisfy the education requirements for nursing home administrator applicants; amending s. 483.035, F.S.; providing for a clinical laboratory to be operated by certain nurses; amending s. 483.051, F.S.; requiring the Agency for Health Care Administration to provide for biennial licensure of all nonwaived laboratories that meet certain requirements; requiring the agency to prescribe qualifications for such licensure; defining nonwaived laboratories as laboratories that do not have a certificate of waiver from the Centers for Medicare and Medicaid Services; deleting requirements for the registration of an alternate site testing location when the clinical laboratory applies to renew its license; amending s. 483.23, F.S.; providing that certain violations relating to the operation of a clinical laboratory be referred by the Agency for Health Care Administration to the local law enforcement agency; authorizes the Agency for Health Care Administration to provide a cease and desist notice and impose administrative penalties and fines; amending s. 483.245, F.S.; prohibiting a clinical laboratory from placing a specimen collector or other personnel in any physician's office, unless the clinical lab and the physician's office are owned and operated by the same entity; providing for damages and injunctive relief; amending s. 483.294, F.S.; revising the frequency of agency inspections of multiphasic health testing centers; amending s. 499.003, F.S.; removing the requirement for certain prescription drug purchasers to maintain a separate inventory of certain prescription drugs; amending s. 817.505, F.S.;

providing an exception to provisions prohibiting patient brokering; providing effective dates.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 921].

Representative Brodeur offered the following:

(Amendment Bar Code: 735981)

**Amendment 1 (with directory amendment)**—Between lines 584 and 585, insert:

~~(28)(30)~~ "Urgent care center" means a facility or clinic that provides immediate but not emergent ambulatory medical care to patients ~~with or without an appointment. The term includes an offsite. It does not include the~~ emergency department of a hospital that is presented to the general public in any manner as a department where immediate and not only emergent medical care is provided. The term also includes:

(a) An offsite facility of a facility licensed under chapter 395, or a joint venture between a facility licensed under chapter 395 and a provider licensed under chapter 458 or chapter 459, that does not require a patient to make an appointment and is presented to the general public in any manner as a facility where immediate but not emergent medical care is provided.

(b) A clinic organization that is licensed under part X of chapter 400, maintains three or more locations using the same or a similar name, does not require a patient to make an appointment, and holds itself out to the general public in any manner as a facility or clinic where immediate but not emergent medical care is provided.

#### DIRECTORY AMENDMENT

Remove line 546 and insert:  
subsections (1), (14), (24), (28), (30), and (31) of that section are

Rep. Brodeur moved the adoption of the amendment, which was adopted.

Representative Brodeur offered the following:

(Amendment Bar Code: 599173)

**Amendment 2 (with title amendment)**—Between lines 793 and 794, insert:

Section 18. Section 395.107, Florida Statutes, is amended to read:

395.107 Urgent care centers; publishing and posting schedule of charges; penalties.—

(1) An urgent care center must publish and post a schedule of charges for the medical services offered to patients.

(2) The schedule of charges must describe the medical services in language comprehensible to a layperson. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the urgent care center and must include, but is not limited to, the 50 services most frequently provided by the urgent care center. The schedule may group services by three price levels, listing services in each price level. The posting may be a sign that must be at least 15 square feet in size or through an electronic messaging board. If an urgent care center is affiliated with a facility licensed under chapter 395, the schedule must include text that notifies the insured patients whether the charges for medical services received at the center will be the same as, or more than, charges for medical services received at the affiliated hospital. The text notifying the patient shall be in a font size equal to or greater than the font size used for prices and must be in a contrasting color. Such text shall be included in all media and Internet advertisements for the center and in language comprehensible to a layperson.

(3) The posted text describing the medical services must fill at least 12 square feet of the posting. A center may use an electronic device or messaging board to post the schedule of charges. Such a device must be at least 3 square feet and patients must be able to access the schedule during all hours of operation of the urgent care center.

(4) An urgent care center that is operated and used exclusively for employees and the dependents of employees of the business that owns or contracts for the urgent care center is exempt from this section.

(5) The failure of an urgent care center to publish and post a schedule of charges as required by this section shall result in a fine of not more than \$1,000, per day, until the schedule is published and posted.

#### TITLE AMENDMENT

Between lines 70 and 71, insert:

amending s. 395.107, F.S.; providing requirements for urgent care centers to post a schedule of charges; providing an exemption; providing penalties;

Rep. Brodeur moved the adoption of the amendment, which was adopted.

Representative Renuart offered the following:

(Amendment Bar Code: 246719)

**Amendment 3 (with title amendment)**—Remove lines 842-1117

#### TITLE AMENDMENT

Remove lines 82-92 and insert:

the Agency for Health Care Administration; amending ss. 154.11, 394.741, 395.3038,

Rep. Renuart moved the adoption of the amendment, which was adopted.  
The vote was:

Session Vote Sequence: 922

Speaker Cannon in the Chair.

Yeas—62

Abruzzo	Garcia	Nuñez	Schwartz
Adkins	Gibbons	Pafford	Slosberg
Ahern	Glorioso	Passidomo	Soto
Bembry	Gonzalez	Perman	Stafford
Berman	Goodson	Perry	Taylor
Bernard	Hager	Pilon	Thompson, G.
Bileca	Harrison	Porth	Thurston
Campbell	Hooper	Ray	Tobia
Chestnut	Hukill	Reed	Waldman
Clemens	Jenne	Rehwinkel	Vasilinda
Costello	Jones	Renuart	Watson
Cruz	Julien	Roberson, K.	Weinstein
Davis	Kiar	Rogers	Williams, A.
Fresen	Kreegel	Rouson	Williams, T.
Frishe	Kriseman	Sands	Young
Fullwood	Moraitis	Saunders	

Nays—51

Albritton	Cannon	Grimsley	McBurney
Artiles	Corcoran	Harrell	McKeel
Aubuchon	Crisafulli	Holder	Metz
Baxley	Diaz	Horner	Nehr
Boyd	Dorworth	Hudson	Nelson
Brandes	Drake	Ingram	Oliva
Brodeur	Eisnaugle	Legg	Patronis
Broxson	Ford	Logan	Plakon
Burgin	Gaetz	Lopez-Cantera	Porter
Caldwell	Grant	Mayfield	Precourt

Proctor  
Rooney  
Schenck

Smith  
Snyder  
Stargel

Steube  
Trujillo  
Weatherford

Wood  
Workman

Pafford  
Perman  
Pilon  
Porth  
Proctor  
Ray  
Reed  
Renuart

Roberson, K.  
Rogers  
Rouson  
Sands  
Saunders  
Schwartz  
Slosberg  
Soto

Stafford  
Stargel  
Taylor  
Thompson, G.  
Thurston  
Tobia  
Waldman  
Watson

Weinstein  
Williams, A.  
Williams, T.  
Wood  
Young

Representative Brodeur offered the following:

(Amendment Bar Code: 690339)

**Amendment 4 (with directory and title amendments)**—Between lines 2608 and 2609, insert:

(i) Ensure that the clinic publishes a schedule of charges for the medical services offered to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the urgent care center and must include, but is not limited to, the 50 services most frequently provided by the clinic. The schedule may group services by three price levels, listing services in each price level. The posting may be a sign that must be at least 15 square feet in size or through an electronic messaging board which will be at least three square feet. The failure of a clinic to publish and post a schedule of charges as required by this section shall result in a fine of not more than \$1,000, per day, until the schedule is published and posted.

#### DIRECTORY AMENDMENT

Remove line 2583 and insert:

Section 55. Paragraphs (g) and (i) of subsection (1) and paragraph

#### TITLE AMENDMENT

Between lines 203 and 204, insert:

400.9935, F.S.; adding additional responsibilities of medical and clinic directors with respect to the posting of a schedule of charges for services; amending s.

Rep. Brodeur moved the adoption of the amendment, which was adopted.

Representative Kreegel offered the following:

(Amendment Bar Code: 241373)

**Amendment 5 (with title amendment)**—Remove lines 3542-3553

#### TITLE AMENDMENT

Remove lines 250-254 and insert:

term "step-edit"; amending s. 429.11, F.S.; revising

Rep. Kreegel moved the adoption of the amendment, which was adopted. The vote was:

Session Vote Sequence: 923

Speaker Cannon in the Chair.

Yeas—65

Abruzzo  
Adkins  
Ahern  
Baxley  
Berman  
Bernard  
Bileca  
Boyd  
Brandes

Bullard  
Caldwell  
Campbell  
Chestnut  
Clemens  
Costello  
Cruz  
Davis  
Fresen

Frishe  
Fullwood  
Garcia  
Gibbons  
Glorioso  
Gonzalez  
Goodson  
Hager  
Harrison

Hooper  
Jenne  
Jones  
Julien  
Kiar  
Kreegel  
Kriseman  
Moraitis  
Nuñez

Nays—44

Albritton  
Artiles  
Aubuchon  
Brodeur  
Broxson  
Burgin  
Cannon  
Corcoran  
Crisafulli  
Diaz  
Dorworth

Drake  
Eisnagle  
Ford  
Gaetz  
Harrell  
Holder  
Hudson  
Hukill  
Ingram  
Legg  
Logan

Lopez-Cantera  
Mayfield  
McBurney  
McKeel  
Metz  
Nehr  
Nelson  
Oliva  
Passidomo  
Patronis  
Perry

Plakon  
Porter  
Precourt  
Rooney  
Schenck  
Smith  
Snyder  
Steube  
Trujillo  
Weatherford  
Workman

Rep. Brodeur moved that a late-filed amendment be allowed for consideration, which was not agreed to by the required two-thirds vote.

Representative Brodeur offered the following:

(Amendment Bar Code: 364753)

**Amendment 6 (with title amendment)**—Between lines 4060 and 4061, insert:

Section 90. Section 624.490, Florida Statutes, is created to read:

624.490 Prohibition on contracts.—Notwithstanding any other provisions of law, a managed care entity, insurance carrier, self-insured entity, third-party administrator, or their agent, governed under state law may not impose a contracted reimbursement rate on a medical provider for goods or services unless the carrier directly contracts with the provider for that rate.

#### TITLE AMENDMENT

Remove line 303 and insert:

prescription drugs; creating s. 624.490, F.S.; providing a prohibition on contracts with certain entities; amending s. s. 817.505, F.S.;

Rep. Brodeur moved the adoption of the amendment. Subsequently, **Amendment 6** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

#### Recessed

The House stood in informal recess at 1:12 p.m., to reconvene at 1:45 p.m.

#### Reconvened

The House was called to order by the Speaker at 1:45 p.m. A quorum was present [Session Vote Sequence: 924].

**CS/CS/HB 1021**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; defining the term "governmental entity"; prohibiting certain governmental entities from charging stormwater management assessments or fees on certain bona fide farm operations except under certain circumstances; providing for applicability; conforming provisions; amending s. 206.41, F.S.; revising the definition of the term "agricultural and aquacultural purposes" for purposes of the required refund of state taxes imposed on motor fuel used for such purposes; amending s. 316.515, F.S.; revising the Florida Uniform Traffic Control Law to authorize the use of citrus harvesting equipment and citrus fruit loaders to transport certain agricultural products and to authorize the use of certain motor



vehicles to transport citrus; amending s. 479.11, F.S.; conforming provisions; amending s. 570.07, F.S.; revising the powers and duties of the Department of Agricultural and Consumer Services to enforce laws and rules relating to the use of commercial stock feeds; amending s. 580.036, F.S.; authorizing the department to adopt rules establishing certain standards for regulating commercial feed or feedstuff; requiring the department to consult with the Commercial Feed Technical Council in the development of such rules; amending s. 599.004, F.S.; revising qualifications for a certified Florida Farm Winery; reenacting s. 561.24(5), F.S., relating to limitations on the issuance of wine distributor licenses and exporter registrations, to incorporate changes made by the act to s. 599.004, F.S., in a reference thereto; amending s. 604.50, F.S.; defining the term "farm sign"; providing an exemption from the Florida Building Code for farm signs; prohibiting farm signs located on public roads from violating certain standards; limiting the authority of local governments to enforce certain requirements with respect to farm signs; providing an effective date.

—was read the second time by title.

Representative Albritton offered the following:

(Amendment Bar Code: 933829)

**Amendment 1 (with title amendment)**—Between lines 222 and 223, insert:

Section 7. Subsection (4) of section 581.083, Florida Statutes, is amended to read:

581.083 Introduction or release of plant pests, noxious weeds, or organisms affecting plant life; cultivation of nonnative plants; special permit and security required.—

(4) A person may not cultivate a nonnative plant, algae, or blue-green algae, including a genetically engineered plant, algae, or blue-green algae or a plant that has been introduced, for purposes of fuel production or purposes other than agriculture in plantings greater in size than 2 contiguous acres, except under a special permit issued by the department through the division, which is the sole agency responsible for issuing such special permits. A permit is not required to cultivate any plant or group of plants that, based on experience or research data, does not pose a threat to becoming an invasive species and is commonly grown in the state for the purpose of human food consumption, commercial feed, feedstuff, forage for livestock, nursery stock, or silviculture. The department may adopt rules exempting additional plants or groups of plants from the permitting requirements of this section if the department, after consultation with the Institute of Food and Agricultural Sciences at the University of Florida, determines that based on experience or research data, the nonnative plant, algae, or blue-green algae does not pose a threat to becoming an invasive species or a pest to plants or native fauna under normal growing conditions in the state. Such a permit shall not be required if the department determines, in conjunction with the Institute of Food and Agricultural Sciences at the University of Florida, that the plant is not invasive and subsequently exempts the plant by rule.

(a)1. Each application for a special permit must be accompanied by a fee as described in subsection (2) and proof that the applicant has obtained, on a form approved by the department, a bond in the form approved by the department and issued by a surety company admitted to do business in this state or a certificate of deposit, or other type of security adopted by rule of the department which provides a financial assurance of cost recovery for the removal of a planting. The application must include, on a form provided by the department, the name of the applicant and the applicant's address or the address of the applicant's principal place of business; a statement completely identifying the nonnative plant to be cultivated; and a statement of the estimated cost of removing and destroying the plant that is the subject of the special permit and the basis for calculating or determining that estimate. If the applicant is a corporation, partnership, or other business entity, the applicant must also provide in the application the name and address of each officer, partner, or managing agent. The applicant shall notify the department within 10 business days of any change of address or change in the principal place of

business. The department shall mail all notices to the applicant's last known address.

2. As used in this subsection, the term "certificate of deposit" means a certificate of deposit at any recognized financial institution doing business in the United States. The department may not accept a certificate of deposit in connection with the issuance of a special permit unless the issuing institution is properly insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(b) Upon obtaining a permit, the permitholder may annually cultivate and maintain the nonnative plants as authorized by the special permit. If the permitholder ceases to maintain or cultivate the plants authorized by the special permit, if the permit expires, or if the permitholder ceases to abide by the conditions of the special permit, the permitholder shall immediately remove and destroy the plants that are subject to the permit, if any remain. The permitholder shall notify the department of the removal and destruction of the plants within 10 days after such event.

(c) If the department:

1. Determines that the permitholder is no longer maintaining or cultivating the plants subject to the special permit and has not removed and destroyed the plants authorized by the special permit;

2. Determines that the continued maintenance or cultivation of the plants presents an imminent danger to public health, safety, or welfare;

3. Determines that the permitholder has exceeded the conditions of the authorized special permit; or

4. Receives a notice of cancellation of the surety bond,

the department may issue an immediate final order, which shall be immediately appealable or enjoined as provided by chapter 120, directing the permitholder to immediately remove and destroy the plants authorized to be cultivated under the special permit. A copy of the immediate final order must ~~shall~~ be mailed to the permitholder and to the surety company or financial institution that has provided security for the special permit, if applicable.

(d) If, upon issuance by the department of an immediate final order to the permitholder, the permitholder fails to remove and destroy the plants subject to the special permit within 60 days after issuance of the order, or such shorter period as is designated in the order as public health, safety, or welfare requires, the department may enter the cultivated acreage and remove and destroy the plants that are the subject of the special permit. If the permitholder makes a written request to the department for an extension of time to remove and destroy the plants that demonstrates specific facts showing why the plants could not reasonably be removed and destroyed in the applicable timeframe, the department may extend the time for removing and destroying plants subject to a special permit. The reasonable costs and expenses incurred by the department for removing and destroying plants subject to a special permit shall be reimbursed to the department by the permitholder within 21 days after the date the permitholder and the surety company or financial institution are served a copy of the department's invoice for the costs and expenses incurred by the department to remove and destroy the cultivated plants, along with a notice of administrative rights, unless the permitholder or the surety company or financial institution object to the reasonableness of the invoice. In the event of an objection, the permitholder or surety company or financial institution is entitled to an administrative proceeding as provided by chapter 120. Upon entry of a final order determining the reasonableness of the incurred costs and expenses, the permitholder has ~~shall have~~ 15 days after following service of the final order to reimburse the department. Failure of the permitholder to timely reimburse the department for the incurred costs and expenses entitles the department to reimbursement from the applicable bond or certificate of deposit.

(e) Each permitholder shall maintain for each separate growing location a bond or a certificate of deposit in an amount determined by the department, but not more ~~less~~ than 150 percent of the estimated cost of removing and destroying the cultivated plants. The bond or certificate of deposit may not exceed \$5,000 per acre, unless a higher amount is determined by the department to be necessary to protect the public health, safety, and welfare or unless an exemption is granted by the department based on conditions specified in the application which would preclude the department from

incurring the cost of removing and destroying the cultivated plants and would prevent injury to the public health, safety, and welfare. The aggregate liability of the surety company or financial institution to all persons for all breaches of the conditions of the bond or certificate of deposit may not exceed the amount of the bond or certificate of deposit. The original bond or certificate of deposit required by this subsection shall be filed with the department. A surety company shall give the department 30 days' written notice of cancellation, by certified mail, in order to cancel a bond. Cancellation of a bond does not relieve a surety company of liability for paying to the department all costs and expenses incurred or to be incurred for removing and destroying the permitted plants covered by an immediate final order authorized under paragraph (c). A bond or certificate of deposit must be provided or assigned in the exact name in which an applicant applies for a special permit. The penal sum of the bond or certificate of deposit to be furnished to the department by a permitholder in the amount specified in this paragraph must guarantee payment of the costs and expenses incurred or to be incurred by the department for removing and destroying the plants cultivated under the issued special permit. The bond or certificate of deposit assignment or agreement must be upon a form prescribed or approved by the department and must be conditioned to secure the faithful accounting for and payment of all costs and expenses incurred by the department for removing and destroying all plants cultivated under the special permit. The bond or certificate of deposit assignment or agreement must include terms binding the instrument to the Commissioner of Agriculture. Such certificate of deposit shall be presented with an assignment of the permitholder's rights in the certificate in favor of the Commissioner of Agriculture on a form prescribed by the department and with a letter from the issuing institution acknowledging that the assignment has been properly recorded on the books of the issuing institution and will be honored by the issuing institution. Such assignment is irrevocable while a special permit is in effect and for an additional period of 6 months after termination of the special permit if operations to remove and destroy the permitted plants are not continuing and if the department's invoice remains unpaid by the permitholder under the issued immediate final order. If operations to remove and destroy the plants are pending, the assignment remains in effect until all plants are removed and destroyed and the department's invoice has been paid. The bond or certificate of deposit may be released by the assignee of the surety company or financial institution to the permitholder, or to the permitholder's successors, assignee, or heirs, if operations to remove and destroy the permitted plants are not pending and no invoice remains unpaid at the conclusion of 6 months after the last effective date of the special permit. The department may not accept a certificate of deposit that contains any provision that would give to any person any prior rights or claim on the proceeds or principal of such certificate of deposit. The department shall determine by rule whether an annual bond or certificate of deposit will be required. The amount of such bond or certificate of deposit shall be increased, upon order of the department, at any time if the department finds such increase to be warranted by the cultivating operations of the permitholder. In the same manner, the amount of such bond or certificate of deposit may be adjusted downward or removed ~~decreased~~ when a decrease in the cultivating operations of the permitholder occurs or when research or practical field knowledge and observations indicate a low risk of invasiveness by the nonnative species warrants such decrease. Factors that may be considered for change include multiple years or cycles of successful large-scale contained cultivation; no observation of plant, algae, or blue-green algae escape from managed areas; or science-based evidence that established or approved adjusted cultivation practices provide a similar level of containment of the nonnative plant, algae, or blue-green algae. This paragraph applies to any bond or certificate of deposit, regardless of the anniversary date of its issuance, expiration, or renewal.

(f) In order to carry out the purposes of this subsection, the department or its agents may require from any permitholder verified statements of the cultivated acreage subject to the special permit and may review the permitholder's business or cultivation records at her or his place of business during normal business hours in order to determine the acreage cultivated. The failure of a permitholder to furnish such statement, to make such records available, or to make and deliver a new or additional bond or certificate of

deposit is cause for suspension of the special permit. If the department finds such failure to be willful, the special permit may be revoked.

#### TITLE AMENDMENT

Between lines 26 and 27, insert:

amending s. 581.083, F.S.; prohibiting the cultivation of certain algae in plantings greater in size than 2 contiguous acres; providing exceptions; providing certain exemptions from special permitting requirements; revising bonding requirements for the special permits;

Rep. Albritton moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/CS/HB 1223**—A bill to be entitled An act relating to highway safety and motor vehicles; amending s. 20.24, F.S.; renaming the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol as the "Office of Commercial Vehicle Enforcement"; amending s. 316.003, F.S.; revising the definition of the term "motor vehicle" to exclude swamp buggies; defining the term "swamp buggy"; amending s. 316.0083, F.S.; providing for the dismissal of a uniform traffic citation for failure to stop at a red light when the motor vehicle owner is deceased and an affidavit with specified supporting documents is filed with the issuing agency; amending s. 316.1303, F.S.; authorizing a person who is mobility impaired to use a motorized wheelchair to temporarily leave the sidewalk and use the roadway under certain circumstances; authorizing a law enforcement officer to issue only a verbal warning to such person; amending s. 316.183, F.S.; revising a provision that prohibits a school bus from exceeding the posted speed limits; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; revising requirements for a bicycle operator to ride in a bicycle lane or along the curb or edge of the roadway; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; amending s. 316.2085, F.S.; requiring that the license tag of a motorcycle or moped remain clearly visible from the rear at all times; prohibiting deliberate acts to conceal or obscure the license tag; providing penalties; amending s. 316.2126, F.S.; authorizing municipalities to use golf carts and utility vehicles to cross the State Highway System and operate on sidewalks adjacent to state highways under certain circumstances; creating s. 316.2129, F.S.; authorizing the operation of swamp buggies on a public road, highway, or street if a local governmental entity has designated the public road, highway, or street for such use; providing that the authorization does not apply to the State Highway System; authorizing the operation of swamp buggies on land managed, owned, or leased by a state or federal agency; amending s. 316.2397, F.S.; providing an exception to the prohibition against flashing vehicle lights for motorists who intermittently flash the vehicle's headlamps at an oncoming vehicle, regardless of the intent in doing so, and for persons operating bicycles equipped with lamps; amending s. 316.302, F.S.; requiring owners or drivers of commercial motor vehicles that are engaged in intrastate commerce to be subject to specified federal rules and regulations as such rules and regulations existed on a certain date; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; correcting terminology; amending s. 316.3026, F.S., relating to unlawful operation of motor carriers; conforming provisions to changes made by the act; amending s. 316.613, F.S., relating to requirements for the operator of a vehicle to use child restraints; providing that such provisions do not apply to certain for-hire vehicles; providing for the obligation of a parent, guardian, or other person responsible for a child's welfare to comply with the requirements; amending s. 316.6135, F.S.; revising the criteria under which a child may not be left unattended in a vehicle; providing penalties; amending s. 316.614, F.S.; deleting provisions that require that a law enforcement officer record the race and ethnicity of a person who is given a citation for not wearing his or her safety belt; deleting provisions that require that the Department of Highway

Safety and Motor Vehicles collect such information and provide reports; amending s. 316.655, F.S.; providing that a driver convicted of a violation of certain offenses relating to motor vehicles which resulted in an accident may have his or her driving privileges revoked or suspended; amending s. 318.14, F.S.; authorizing a person who does not hold a commercial driver license and who is cited for a noncriminal traffic infraction while driving a noncommercial motor vehicle to elect to attend a basic driver improvement course in lieu of a court appearance; authorizing a person who does not hold a commercial driver license and who is cited for certain offenses while driving a noncommercial motor vehicle to elect to enter a plea of nolo contendere and to provide proof of compliance in lieu of payment of fine or court appearance; amending s. 318.15, F.S.; providing that a person charged with a traffic infraction may request a hearing within a specified period after the date upon which the violation occurred; requiring that the clerk set the case for hearing; providing exceptions to the time period for requesting a hearing; authorizing the court to grant a request for a hearing made after the time period has expired; amending ss. 318.18 and 318.21, F.S., relating to penalties and disposition of penalties; conforming cross-references; amending s. 319.14, F.S.; prohibiting the sale or exchange of custom vehicles or street rod vehicles under certain conditions; providing definitions; amending s. 319.23, F.S.; requiring that the application for a certificate of title, corrected certificate, or assignment or reassignment be filed within a certain time period after the consummation of the sale of a mobile home; authorizing the department to accept a bond and affidavit if the applicant for a certificate of title is unable to provide a title that assigns the prior owner's interest in the motor vehicle; providing requirements for the bond and the affidavit; providing that an interested person has a right to recover on the bond; limiting liability to the amount of the bond; providing for future expiration of the bond; amending s. 319.24, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify the first lienholder of any additional liens if there are one or more lien encumbrances on a motor vehicle or mobile home; requiring that subsequent lien satisfactions be transmitted electronically to the department; amending s. 319.27, F.S.; requiring that the department establish and administer an electronic titling program; requiring the electronic recording of vehicle title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 319.28, F.S.; providing that a dealer of certain industrial equipment is not subject to licensure as a recovery agent or agency under certain conditions; amending to s. 319.30, F.S.; authorizing the department to adopt rules to implement an electronic system for issuing salvage certificates of title and certificates of destruction; amending s. 319.40, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title and to collect electronic mail addresses and use electronic mail as a notification method in lieu of the United States Postal Service; providing an exception; amending s. 320.01, F.S.; revising the definition of the term "motor vehicle" to exclude special mobile equipment and swamp buggies; defining the term "swamp buggy"; amending s. 320.02, F.S.; providing that an active duty member of the Armed Forces of the United States is exempt from the requirement to provide an address on an application for vehicle registration; revising provisions relating to the registration of a motor carrier who operates a commercial motor vehicle without liability insurance, a surety bond, or a valid self-insurance certificate; providing that the registration shall be canceled on the expiration date noted in the cancellation notice that the department receives from the insurer; requiring that the insurer provide notice to the department at the same time the cancellation notice is provided to the insured; authorizing the department to adopt rules regarding the electronic submission of the cancellation notice; removing a provision that prohibits cancellation of liability insurance or surety bond on less than 30 days' notice to the department; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make certain voluntary contributions to specified not-for-profit entities; providing that such contributions are not income for specified purposes; requiring that the department retain all electronic registration records for a specified period; amending s. 320.03, F.S.; conforming a cross-reference; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate the designs, concepts, and technologies for alternative license plates; requiring

that the department investigate the feasibility and use of alternative license plate technologies and the long-term cost impact to the consumer for purposes of the pilot program; requiring limiting the scope of the pilot program to license plates that are used on government-owned motor vehicles; providing an exemption for such license plates from certain requirements; providing that license plates issued under ch. 320, F.S., are the property of the state; amending s. 320.0605, F.S.; revising provisions relating to a requirement that rental or lease documentation be in the possession of an operator of a motor vehicle; providing specified information sufficient to satisfy this requirement; amending s. 320.061, F.S.; prohibiting a person from altering the original appearance of a temporary license plate; amending s. 320.07, F.S.; revising provisions relating to the expiration of a registration of a motor vehicle or mobile home; providing that the registration for a motor vehicle or mobile home whose owner is a natural person expires at midnight on the owner's birthday; amending s. 320.08056, F.S.; prohibiting the use of funds derived from the specialty license plate program from being used to lobby elected members or employees of the Legislature; amending s. 320.08058, F.S.; providing that up to 15 percent of the proceeds from the annual use fees for the Florida Golf license plate may be used by the Dade Amateur Golf Association for the administration of the Florida Junior Golf Program; amending s. 320.08068, F.S.; revising provisions relating to the use of funds received from the sale of motorcycle specialty license plates; deleting a provision that requires that 20 percent of the annual fee collected for such plates be used to leverage additional funding and new sources of revenue for the centers for independent living; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; requiring that certain proceeds be deposited into the Florida Endowment Foundation for Vocational Rehabilitation, instead of the Florida Governor's Alliance for the Employment of Disabled Citizens; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate and a Vietnam War Veterans license plate; providing qualifications and requirements for the plate; amending s. 320.13, F.S.; authorizing a dealer of heavy trucks, upon payment of a license tax, to secure one or more dealer license plates under certain circumstances; providing that the license plates may be used for demonstration purposes for a specified period; requiring that the license plates be validated on a form prescribed by the department and be retained in the vehicle being operated; amending s. 320.15, F.S.; providing that an owner of a motor vehicle or mobile home may apply for a refund of certain license taxes if the owner renews a registration during the advanced renewal period and surrenders the motor vehicle or mobile home license plate before the end of the renewal period; amending s. 320.27, F.S.; providing an exemption for salvage motor vehicle dealers from certain application and security requirements; amending s. 320.771, F.S.; revising the definition of the term "dealer"; amending s. 320.95, F.S.; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; providing for the department to waive the fees for issuing or renewing an identification card to a person who is homeless; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising provisions relating to a person whose driver license has expired for 6 months or less and who drives a motor vehicle; amending s. 322.07, F.S.; revising provisions relating to temporary commercial instruction permits; amending s. 322.08, F.S.; revising provisions relating to an application for a driver license or temporary permit; requiring that applicants prove nonimmigrant classification by providing certain documentation; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; revising the length of time a license is valid when issuance is based on documentation required under specified provisions; requiring the application forms for an original, renewal, or replacement driver license to include language permitting the applicant to

make certain voluntary contributions to specified not-for-profit entities;; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.121, F.S.; conforming a provision relating to Safe Driver designation; revising provisions authorizing the automatic extension of a license for members of the Armed Forces of the United States or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that a qualified driver license applicant appear in person for issuance of a color photographic or digital imaged driver license; creating s. 322.1415, F.S.; authorizing the department to issue a specialty driver license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the Armed Forces of the United States; requiring that the department approve the design of each specialty driver license and identification card; providing for future expiration; amending s. 322.142, F.S.; providing district medical examiners access to driver information maintained in the Driver and Vehicle Information Database for a specified purpose; amending s. 322.19, F.S.; providing that certain persons who have a valid student identification card are presumed not to have changed their legal residence or mailing address; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver license and identification card fees; amending s. 322.251, F.S.; providing that certain notices of cancellation, suspension, revocation, or disqualification of a driver license are complete within a specified period after deposit in the mail; amending s. 322.27, F.S.; revising the department's authority to suspend or revoke licenses or identification cards under certain circumstances; repealing s. 322.292(5), F.S., relating to private probation services providers referring probationers to any DUI program owned in whole or in part by that probation services provider or its affiliates; amending s. 322.53, F.S.; revising an exemption from the requirement to obtain a commercial driver license for farmers transporting agricultural products, farm supplies, or farm machinery under certain circumstances; providing that such exemption applies if the vehicle is not used in the operations of a common or contract motor carrier; amending s. 322.54, F.S.; requiring that persons who drive a motor vehicle having a gross vehicle weight rating or gross vehicle weight of a specified amount or more possess certain classifications of driver licenses; repealing s. 322.58, F.S., relating to holders of chauffeur licenses and the classified licensure of commercial motor vehicle drivers; amending s. 322.59, F.S.; revising provisions relating to the possession of a medical examiner's certificate; requiring that the department disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license and fails to comply with the medical certification requirements; authorizing the department to issue, under certain circumstances, a Class E driver license to a person who is disqualified from operating a commercial motor vehicle; amending s. 322.61, F.S.; revising provisions relating to the disqualification from operating a commercial motor vehicle; providing that any holder of a commercial driver license who is convicted of two violations committed while operating any motor vehicle is permanently disqualified from operating a commercial motor vehicle; amending s. 324.072, F.S.; prohibiting the department from suspending a registration of a motor vehicle if the person to whom the motor vehicle is registered had certain limits on the date of the offense that caused the suspension or revocation; amending s. 324.091, F.S.; revising the period within which an owner or operator involved in a crash must furnish evidence of automobile liability insurance, motor vehicle liability insurance, or surety bond; amending s. 328.15, F.S.; requiring that the department establish and administer an electronic titling program that requires the recording of vessel title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 328.16, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify such lienholder of any additional liens; requiring that subsequent lien satisfactions be electronically transmitted to the department; amending s. 328.30, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title; authorizing the department to collect electronic mail addresses and use electronic mail for the

purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 520.32, F.S.; providing an exemption to specified licensing requirements for motor vehicle dealers licensed under specified provisions; providing for application of the exemption; amending s. 713.78, F.S.; conforming a cross-reference; providing effective dates.

—was read the second time by title.

Representative Nehr offered the following:

(Amendment Bar Code: 184409)

**Amendment 1 (with title amendment)**—Remove lines 584-588 and insert:  
from top to bottom may be affixed perpendicularly to the ground, ~~provided that the registered owner of the motorcycle or moped maintains a prepaid toll account in good standing and a transponder associated with the prepaid toll account is affixed to the motorcycle or moped.~~

#### TITLE AMENDMENT

Remove line 34 and insert:  
license tag; removing a condition for a motorcycle or moped license plate that reads from top to bottom to be affixed perpendicular to the ground; providing penalties; amending s.

Rep. Nehr moved the adoption of the amendment.

Representative Nehr offered the following:

(Amendment Bar Code: 185803)

**Substitute Amendment 1 (with title amendment)**—Remove lines 584-588 and insert:  
from top to bottom may be affixed perpendicularly to the ground, ~~provided that the registered owner of the motorcycle or moped maintains a prepaid toll account in good standing and a transponder associated with the prepaid toll account is affixed to the motorcycle or moped.~~ Notwithstanding the authorization to affix the license tag of a motorcycle or moped perpendicularly to the ground, the owner or operator of a motorcycle or moped shall pay any required toll pursuant to s. 316.1001 by whatever means available.

#### TITLE AMENDMENT

Remove line 34 and insert:  
license tag; removing a condition for a motorcycle or moped license plate that reads from top to bottom to be affixed perpendicular to the ground; requiring that owners or operators of motorcycles or mopeds with vertical tags pay any required toll by whatever means available; providing penalties; amending s.

Rep. Nehr moved the adoption of the substitute amendment, which was adopted.

Representative Gibbons offered the following:

(Amendment Bar Code: 199603)

**Amendment 2 (with title amendment)**—Remove lines 829-845

#### TITLE AMENDMENT

Remove lines 72-78 and insert:  
penalties; amending s. 316.655,

Rep. Gibbons moved the adoption of the amendment, which was adopted.

Representative Abruzzo offered the following:

(Amendment Bar Code: 758253)

**Amendment 3 (with title amendment)**—Between lines 1568 and 1569, insert:

Section 38. Section 320.0807, Florida Statutes, is amended to read:

320.0807 Special license plates for Governor and federal and state legislators.—

(1) Upon application by any member of the House of Representatives of Congress and payment of the fees prescribed by s. 320.0805, the department ~~may be authorized to~~ issue to such member of Congress a license plate stamped ~~"Official Member of Congress"~~ followed by the number of the appropriate congressional district and the letters "MC," or any other configuration chosen by the member which is not already in use. Upon application by a United States Senator and payment of the fees prescribed by s. 320.0805, the department ~~may be authorized to~~ issue a license plate stamped "USS," followed by the numeral II in the case of the junior senator.

(2) Upon application by any member of the state House of Representatives and payment of the fees prescribed by s. 320.0805, the department ~~may be authorized to~~ issue ~~the such~~ state representative license plates stamped ~~in bold letters~~ "Official House State Legislator," followed by the number of the appropriate House of Representatives district and the letters "HR," or any other configuration chosen by the member which is not already in use. Upon application by a state senator and payment of the fees prescribed by s. 320.0805, the department ~~may be authorized to~~ issue license plates stamped ~~in bold letters~~ "Official Senate State Senator," followed by the number of the appropriate Senate district and the letters "SN," or any other configuration chosen by the member which is not already in use.

(3) Upon application by the Governor and payment of the appropriate fees, the department ~~may be authorized to~~ issue to the Governor two license plates stamped ~~in bold letters~~ "Florida 1" and "Florida 2."

(4) License plates purchased under subsection (1), subsection (2), or subsection (3) shall be replaced by the department at no cost, other than the fees required by ss. 320.04 and 320.06(3)(b), when the person to whom ~~the such~~ plates have been issued leaves the elective office with respect to which ~~the such~~ license plates were issued. Within 30 days after leaving office, the person to whom ~~the such~~ license plates have been issued shall make application to the department for a replacement license plate. ~~The Such~~ person may return the prestige license plates to the department or may retain ~~the such~~ plates as souvenirs. Upon receipt of the replacement license plate, ~~the such~~ person ~~may shall~~ not continue to display on any vehicle the prestige license plate or plates issued with respect to his or her former office.

(5) Upon application by any current or former President of the Senate and payment of the fees prescribed by s. 320.0805, the department ~~may be authorized to~~ issue a license plate stamped ~~in bold letters~~ "Senate President" followed by the number assigned by the department or chosen by the applicant if it is not already in use. Upon application by any current or former Speaker of the House of Representatives and payment of the fees prescribed by s. 320.0805, the department ~~may be authorized to~~ issue a license plate stamped ~~in bold letters~~ "House Speaker" followed by the number assigned by the department or chosen by the applicant if it is not already in use.

(6)(a) Upon application by any former member of Congress or former member of the state Legislature, payment of the fees prescribed by s. 320.0805, and payment of a one-time fee of \$500, the department may issue a former member of Congress, state senator, or state representative a license plate stamped "Retired Congress," "Retired Senate," or "Retired House," as appropriate, for a vehicle owned by the former member.

(b) To qualify for a Retired Congress, Retired Senate, or Retired House prestige license plate, a former member must have served at least 4 years as a member of Congress, state senator, or state representative, respectively.

(c) Four hundred fifty dollars of the one-time fee collected under paragraph (a) shall be distributed to the account of the citizen support organization established pursuant to s. 272.129 and used for the benefit of the Legislative

Research Center and Museum at the Historic Capitol, and the remaining \$50 shall be deposited into the Highway Safety Operating Trust Fund.

(7) The department may create a unique plate design for plates to be used by members or former members of the Legislature or Congress as provided in subsections (2), (5), and (6).

(8)(6) Any person who does not make application for a replacement license plate as required by subsection (4), or who, after receipt of the replacement license plate, continues to display on any vehicle the prestige license plate or plates issued with respect to his or her former office, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

#### TITLE AMENDMENT

Remove line 213 and insert:

centers for independent living; amending s. 320.0807, F.S.; revising provisions for special license plates for the Governor and federal and state legislators; providing for issuance of special plates for former federal and state legislators; providing a one-time fee; providing for distribution of the fee; authorizing the department to create a unique plate design for plates to be used by members or former members of the Legislature or Congress under specified provisions; amending s. 320.0848,

Rep. Abruzzo moved the adoption of the amendment, which was adopted.

Representative Albritton offered the following:

(Amendment Bar Code: 610325)

**Amendment 4**—Remove lines 2286-2288 and insert:  
the license or identification card of any person without preliminary hearing upon a showing of its records or other sufficient evidence that the licensee or cardholder:

Rep. Albritton moved the adoption of the amendment, which was adopted.

Representatives Burgin and Rogers offered the following:

(Amendment Bar Code: 829261)

**Amendment 5 (with title amendment)**—Between lines 2687 and 2688, insert:

Section 72. Subsection (3) of section 316.271, Florida Statutes, is amended to read:

316.271 Horns and warning devices.—

(3) The driver of a motor vehicle shall, when reasonably necessary to ensure safe operation, give audible warning with his or her horn, ~~but shall not otherwise use such horn when upon a highway.~~

#### TITLE AMENDMENT

Remove line 380 and insert:

cross-reference; amending s. 316.271, F.S.; removing a prohibition on using the audible horn of a motor vehicle on a highway; providing effective dates.

Rep. Burgin moved the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 787945)

**Amendment 6 (with title amendment)**—Between lines 2687 and 2688, insert:

Section 72. Vehicles equipped with autonomous technology; intent.—

(1) As used in this section, the term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or

monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

(2) It is the intent of the Legislature to encourage the safe development, testing, and operation of motor vehicles with autonomous technology on the public roads of the state. The Legislature finds that the state does not prohibit or specifically regulate the testing or operation of autonomous technology in motor vehicles on public roads.

Section 73. Subsection (89) is added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(89) AUTONOMOUS VEHICLE.—Any vehicle equipped with autonomous technology. The term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

Section 74. Section 316.85, Florida Statutes, is created to read:

316.85 Autonomous vehicles; operation.—

(1) A person who possesses a valid driver license may operate an autonomous vehicle in autonomous mode.

(2) For purposes of this chapter, unless the context otherwise requires, a person shall be deemed to be the operator of an autonomous vehicle operating in autonomous mode when the person causes the vehicle's autonomous technology to engage, regardless of whether the person is physically present in the vehicle while the vehicle is operating in autonomous mode.

Section 75. Section 319.145, Florida Statutes, is created to read:

319.145 Autonomous vehicles.—

(1) An autonomous vehicle registered in this state must continue to meet federal standards and regulations for a motor vehicle. The vehicle shall:

(a) Have a means to engage and disengage the autonomous technology which is easily accessible to the operator.

(b) Have a means, inside the vehicle, to visually indicate when the vehicle is operating in autonomous mode.

(c) Have a means to alert the operator of the vehicle if a technology failure affecting the ability of the vehicle to safely operate autonomously is detected while the vehicle is operating autonomously in order to indicate to the operator to take control of the vehicle.

(d) Be capable of being operated in compliance with the applicable traffic and motor vehicle laws of this state.

(2) Federal regulations promulgated by the National Highway Traffic Safety Administration shall supersede this section when found to be in conflict with this section.

Section 76. (1) Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Prior to the start of testing in this state, the entity performing the testing must submit to the Department of Highway Safety and Motor Vehicles an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of \$5 million.

(2) By February 12, 2014, the Department of Highway Safety and Motor Vehicles shall submit a report to the President of the Senate and the Speaker of the House of Representatives recommending additional legislative or regulatory action that may be required for the safe testing and operation of motor vehicles equipped with autonomous technology.

#### TITLE AMENDMENT

Remove line 380 and insert:

cross-reference; defining the term "autonomous technology"; providing legislative intent and findings; amending s. 316.003, F.S.; defining the terms "autonomous vehicle" and "autonomous technology" when used in provisions for traffic control; creating s. 316.85, F.S.; authorizing a person who possesses a valid driver license to operate an autonomous vehicle; specifying that the person who causes the vehicle's autonomous technology to engage is the operator; creating s. 319.145, F.S.; requiring an autonomous vehicle registered in this state to meet federal standards and regulations for a motor vehicle; specifying certain requirements for such vehicle; providing for the application of certain federal regulations; authorizing the operation of vehicles equipped with autonomous technology by certain persons for testing purposes under certain conditions; requiring an instrument of insurance, surety bond, or self-insurance prior to the testing of a vehicle; directing the department to prepare a report on the safe testing and operation of vehicles equipped with autonomous technology and submit the report to the Legislature by a certain date; providing effective dates.

Rep. Brandes moved the adoption of the amendment. Subsequently, **Amendment 6** was withdrawn.

Representative Artiles offered the following:

(Amendment Bar Code: 931595)

**Amendment 7 (with title amendment)**—Between lines 2687 and 2688, insert:

Section 72. Section 323.002, Florida Statutes, is amended to read:

323.002 County and municipal wrecker operator systems; penalties for operation outside of system.—

(1) As used in this section, the term:

(a) "Authorized wrecker operator" means any wrecker operator who has been designated as part of the wrecker operator system established by the governmental unit having jurisdiction over the scene of a wrecked or disabled vehicle.

(b) "Unauthorized wrecker operator" means any wrecker operator who has not been designated as part of the wrecker operator system established by the governmental unit having jurisdiction over the scene of a wrecked or disabled vehicle.

(c) "Wrecker operator system" means a system for the towing or removal of wrecked, disabled, or abandoned vehicles, similar to the Florida Highway Patrol wrecker operator system described in s. 321.051(2), under which a county or municipality contracts with one or more wrecker operators for the towing or removal of wrecked, disabled, or abandoned vehicles from accident scenes, streets, or highways. A wrecker operator system shall include using a method for apportioning the towing assignments among the eligible wrecker operators through the creation of geographic zones, a rotation schedule, or a combination of these methods.

(2) In any county or municipality that operates a wrecker operator system:

(a) It is unlawful for an unauthorized wrecker operator or its employees or agents to monitor police radio for communications between patrol field units and the dispatcher in order to determine the location of a wrecked or disabled vehicle for the purpose of driving by the scene of such vehicle in a manner described in paragraph (b) or paragraph (c). Any person who violates this paragraph commits ~~is guilty of~~ a noncriminal violation, punishable as provided in s. 775.083, and the person's wrecker, tow truck, or other motor

vehicle that was used during the offense may be immediately removed and impounded pursuant to subsection (3).

(b) It is unlawful for an unauthorized wrecker operator to drive by the scene of a wrecked or disabled vehicle before the arrival of an authorized wrecker operator, initiate contact with the owner or operator of such vehicle by soliciting or offering towing services, and tow such vehicle. Any person who violates this paragraph ~~commits is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and the person's wrecker, tow truck, or other motor vehicle that was used during the offense may be immediately removed and impounded pursuant to subsection (3).

(c) When an unauthorized wrecker operator drives by the scene of a wrecked or disabled vehicle and the owner or operator initiates contact by signaling the wrecker operator to stop and provide towing services, the unauthorized wrecker operator must disclose in writing to the owner or operator of the vehicle his or her full name and driver license number, that he or she is not the authorized wrecker operator who has been designated as part of the wrecker operator system, that the motor vehicle is not being towed for the owner's or operator's insurance company or lienholder, and the maximum must disclose, in writing, what charges for towing and storage which will apply before the vehicle is connected to the towing apparatus. The unauthorized wrecker operator must also provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if such officer is at the scene of a motor vehicle accident. Any person who violates this paragraph ~~commits is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and the person's wrecker, tow truck, or other motor vehicle that was used during the offense may be immediately removed and impounded pursuant to subsection (3).

(d) At the scene of a wrecked or disabled vehicle, it is unlawful for a wrecker operator to falsely identify himself or herself as being part of the wrecker operator system. Any person who violates this paragraph ~~commits is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, and the person's wrecker, tow truck, or other motor vehicle that was used during the offense may be immediately removed and impounded pursuant to subsection (3).

(3)(a) A law enforcement officer from any local governmental agency or state law enforcement agency may cause to be immediately removed and impounded from the scene of a wrecked or disabled vehicle, at the unauthorized wrecker operator's expense, any wrecker, tow truck, or other motor vehicle that is used in violation of any provision of subsection (2). The unauthorized wrecker operator shall be assessed a cost recovery fine as provided in paragraph (b) by the authority that ordered the immediate removal and impoundment of the wrecker, tow truck, or other motor vehicle. A wrecker, tow truck, or other motor vehicle that is removed and impounded pursuant to this section may not be released from an impound or towing and storage facility before a release form has been completed by the authority that ordered the immediate removal and impoundment of the wrecker, tow truck, or other motor vehicle which verifies that the cost recovery fine has been paid to the authority. The vehicle must remain impounded until the fine has been paid or until the vehicle is sold at public sale pursuant to s. 713.78.

(b) Notwithstanding any other provision of law to the contrary, the unauthorized wrecker operator, upon retrieval of the wrecker, tow truck, or other motor vehicle removed or impounded pursuant to this section, and in addition to any other penalties that may be imposed for noncriminal violations, shall pay a cost recovery fine of \$500 for a first-time violation of any provision of subsection (2), or a fine of \$1,000 for each subsequent violation, to the authority that ordered the immediate removal and impoundment of the wrecker, tow truck, or other motor vehicle. Cost recovery funds collected under this subsection shall be retained by the authority that ordered the removal and impoundment of the wrecker, tow truck, or other motor vehicle and may be used only for the enforcement, investigation, prosecution, and training related to towing violations and crimes involving motor vehicles.

(c) Notwithstanding any other provision of law to the contrary and in addition to the cost recovery fine required by this subsection, a person who violates any provision of subsection (2) shall pay the fees associated with the

removal and storage of the unauthorized wrecker, tow truck, or other motor vehicle.

~~(4)(3)~~ This section does not prohibit, or in any way prevent, the owner or operator of a vehicle involved in an accident or otherwise disabled from contacting any wrecker operator for the provision of towing services, whether the wrecker operator is an authorized wrecker operator or not.

#### TITLE AMENDMENT

Remove line 380 and insert:

cross-reference; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be immediately removed and impounded; requiring that an unauthorized wrecker operator disclose in writing to the owner or operator of a motor vehicle certain information; requiring that the unauthorized wrecker operator also provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if at the scene of a motor vehicle accident; authorizing a law enforcement officer from a local governmental agency or state law enforcement agency to cause to be removed and impounded from the scene of a wrecked or disabled vehicle an unauthorized wrecker, tow truck, or other motor vehicle; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; requiring a release form; requiring that the wrecker, tow truck, or other motor vehicle remain impounded until the fine has been paid; providing the amounts for the cost recovery fine for first-time and subsequent violations; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the wrecker, tow truck, or other motor vehicle; providing effective dates.

Rep. Artiles moved the adoption of the amendment.

Representative Albritton offered the following:

(Amendment Bar Code: 836377)

**Substitute Amendment 7 (with title amendment)**—Between lines 2687 and 2688, insert:

Section 72. Paragraph (c) of subsection (2) of section 323.002, Florida Statutes, is amended to read:

323.002 County and municipal wrecker operator systems; penalties for operation outside of system.—

(2) In any county or municipality that operates a wrecker operator system:

(c) When an unauthorized wrecker operator drives by the scene of a wrecked or disabled vehicle and the owner or operator initiates contact by signaling the wrecker operator to stop and provide towing services, the unauthorized wrecker operator must disclose to the owner or operator of the vehicle that he or she is not the authorized wrecker operator who has been designated as part of the wrecker operator system and must disclose, in writing, a fee schedule that includes what charges for towing and storage will apply before the vehicle is connected to or disconnected from the towing apparatus, the fee charged per mile to and from the storage facility, the fee charged per 24 hours of storage, and, prominently displayed, the consumer hotline for the Department of Agriculture and Consumer Services. Any person who violates this paragraph is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

#### TITLE AMENDMENT

Remove line 380 and insert:

cross-reference; amending s. 323.002, F.S.; requiring unauthorized wrecker operators to disclose a fee schedule and certain information; providing effective dates.

Rep. Albritton moved the adoption of the amendment.

## THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the adoption of the **Substitute Amendment 7**, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 1495**—A bill to be entitled An act relating to Spring Lake Improvement District, Highlands County; amending chapter 2005-342, Laws of Florida; amending board, election, and term of office provisions; deleting provisions relating to eminent domain; providing a limitation on the amount of bonds the district can issue; providing the authority to conduct mosquito control; repealing chapter 2010-266, Laws of Florida; removing language proposing changes to the district charter which did not take effect for failure of adoption at a referendum; requiring a referendum and providing a ballot statement; providing for repeal of the act if the referendum fails; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 1173**—A bill to be entitled An act relating to criminal gang prevention; amending s. 810.0975, F.S.; providing enhanced criminal penalties for certain trespassing offenses in school safety zones by a person convicted of certain gang-related offenses; amending s. 874.05, F.S.; providing enhanced criminal penalties for a person who intentionally causes, encourages, solicits, or recruits another person under a specified age to become a criminal gang member in certain circumstances; amending s. 951.23, F.S.; authorizing county and municipal detention facilities to designate an individual to be responsible for assessing whether each inmate is a criminal gang member or associate; providing duties of such individuals; amending ss. 435.04 and 921.0022, F.S.; conforming cross-references and assigning offense severity rankings for violations of s. 874.05, F.S.; amending s. 921.0024, F.S.; revising the criteria for application of the sentencing multiplier for offenses related to criminal gangs; limiting application of the multiplier if application would result in the lowest permissible sentence exceeding the statutory maximum sentence; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 213**—A bill to be entitled An act relating to mortgage foreclosures; amending s. 95.11, F.S.; reducing the limitations period for commencing an action to enforce a claim of a deficiency judgment subsequent to a foreclosure action; providing for application to existing causes of action; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; providing that failure to file such documents does not affect title to property subsequent to a foreclosure sale; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; expanding the class of persons authorized to move for expedited foreclosure; defining the term "lienholder"; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; requesting the Supreme Court to adopt rules and forms for use in expedited foreclosure proceedings; creating s. 702.11, F.S.; establishing expedited foreclosure proceedings for abandoned residential real property and procedures and requirements with respect thereto; providing for application of the act; providing an effective date.

—was read the second time by title.

## THE SPEAKER IN THE CHAIR

Representative Julien offered the following:

(Amendment Bar Code: 049949)

**Amendment 1**—Remove lines 232-238 and insert:

a. If ~~a party the mortgagor~~ has been served pursuant to chapter 48 with the complaint and original process, or the other party is the plaintiff in the action, service of the order to show cause on that party order may be made in the manner provided in the Florida Rules of Civil Procedure.

b. If ~~a defendant the mortgagor~~ has not been served pursuant to chapter 48 with the complaint and original process, the order to

Rep. Julien moved the adoption of the amendment, which was adopted.

Representative Julien offered the following:

(Amendment Bar Code: 896603)

**Amendment 2**—Remove line 407 and insert:

(a) A certified process server unaffiliated with the

Rep. Julien moved the adoption of the amendment. Subsequently, **Amendment 2** was withdrawn.

Representative Passidomo offered the following:

(Amendment Bar Code: 013829)

**Amendment 3**—Remove line 431 and insert:

assessments for the unit or parcel are at least 90 days delinquent.

Rep. Passidomo moved the adoption of the amendment, which was adopted.

Representative Julien offered the following:

(Amendment Bar Code: 324783)

**Amendment 4**—Remove lines 442-445 and insert:

of the condition of the residential real property.

Rep. Julien moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

## Remarks

The Speaker recognized Representative Drake, who gave brief farewell remarks.

**HB 7121**—A bill to be entitled An act relating to ratification of rules; ratifying a specified rule for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 1059**—A bill to be entitled An act relating to background screening for noninstructional contractors on school grounds; amending s. 1012.467, F.S.; requiring the Department of Education to create a uniform, statewide identification badge to be worn by noninstructional contractors signifying that a contractor has met specified requirements; requiring school districts to issue the identification badge to a qualified contractor; providing



that the identification badge shall be recognized by all school districts; providing that the identification badge is valid for 5 years; establishing conditions for return of an identification badge; requiring the department to determine a uniform cost a school district may charge a contractor for receipt of the identification badge, which shall be borne by the contractor; providing an exception for certain contractors; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 979**—A bill to be entitled An act relating to developments of regional impact; amending s. 163.3184, F.S.; requiring that comprehensive plan amendments proposing certain developments follow the state coordinated review process; amending s. 380.06, F.S.; limiting the scope of certain recommendations and comments by reviewing agencies regarding proposed developments; revising certain review criteria for reports and recommendations on the regional impact of proposed developments; requiring regional planning agency reports to contain recommendations consistent with the standards of state permitting agencies and water management districts; providing that specified changes to a development order are not substantial deviations; providing an exemption from development-of-regional-impact review for proposed developments that meet specified criteria and are located in certain jurisdictions; requiring an agreement for such exemption; providing notice requirements; providing for effect and applicability; amending s. 380.115, F.S.; revising conditions under which a local government is required to rescind a development-of-regional-impact development order; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 37**—A bill to be entitled An act relating to knowingly and willfully giving false information to a law enforcement officer; amending s. 837.055, F.S.; providing that it is a third-degree felony for a person to knowingly and willfully give false information to a law enforcement officer conducting a missing person investigation involving a child 16 years of age or younger with the intent to mislead the officer or impede the investigation if the child suffers great bodily harm, permanent disability, permanent disfigurement, or death; providing criminal penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 1299**—A bill to be entitled An act relating to the North Lake County Hospital District, Lake County; codifying special laws relating to the district; providing legislative intent; amending, codifying, reenacting, and repealing chapters 2002-348 and 2004-460, Laws of Florida, relating to the district; re-creating the district and re-creating and reenacting the charter; providing definitions; providing a public purpose; prohibiting a person from seeking election to the board of trustees if the person has previously served on the board of directors of certain entities within a specified time; requiring publication of the annual meeting notice on a publicly accessible website; providing general powers of the district, including the power to levy an ad valorem tax not to exceed a specified millage; establishing permitted uses of tax funds; providing restrictions on the district board's activities; prescribing requirements of the board for fiscal responsibility, transparency, and accountability; providing financial disclosure requirements and reporting, notice, and public meeting provisions for the board; providing for sovereign immunity; providing for expiration of the district at a specified time without further legislative action and permitting continuation of the district by referendum at the end of 10-year intervals; providing for a referendum; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 947**—A bill to be entitled An act relating to possession of a firearm or destructive device during the commission of an offense; amending s. 775.087, F.S.; providing that an exception to the 10-year minimum term for persons convicted of certain offenses during which the person actually possessed a firearm or destructive device does not to apply to offenders convicted for possession of a firearm by a felon who have certain prior convictions and actually possessed a firearm or destructive device during the commission of the prior felony; providing an effective date.

—was read the second time by title.

Representative Boyd offered the following:

(Amendment Bar Code: 042231)

#### **Amendment 1 (with title amendment)—**

##### **TITLE AMENDMENT**

Between lines 13 and 14, insert:

WHEREAS, this act honors the heroic actions of law enforcement officers killed by felons who have prior felony convictions for offenses listed in s. 775.084(1)(b)1., Florida Statutes, and

WHEREAS, those officers killed in 2011 and 2012 and honored herein are Detective Roger Castillo of the Miami-Dade Police Department, Detective Amanda Haworth of the Miami-Dade Police Department, Police Officer Jeffrey Yaslowitz of the St. Petersburg Police Department, Sergeant Tom Baitinger of the St. Petersburg Police Department, and Detective David White of the Clay County Sheriff's Office, and

WHEREAS, law enforcement officers are society's first line of defense against crime, and

WHEREAS, we commend the brave actions of these officers who play an essential role in safeguarding the rights and freedoms of our citizens, NOW, THEREFORE,

Rep. Boyd moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 267**—A bill to be entitled An act relating to the East Naples Fire Control and Rescue District, Collier County; amending chapter 2000-444, Laws of Florida, as amended by chapter 2004-433, Laws of Florida, to revise the district's charter; providing for incorporation; providing that the district is an independent special district; providing for charter amendments; revising boundaries; providing for annexation; revising provisions relating to the board of commissioners; revising duties, powers, and authority of the board; revising powers of the district; providing for the financing of the district; providing a savings clause for the district's current authority to levy up to 1.5 millage; providing for bonds; providing for reimbursement to the county when a referendum is required; providing for impact fees; providing for the collection and disbursement of such fees; providing for deposit of taxes, assessments, and fees and authority to disburse funds; providing for elections; requiring district planning; providing for immunity from tort liability; providing for dissolution procedures; providing for exemption from taxation; providing for liberal construction; providing for severability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

#### **THE SPEAKER PRO TEMPORE IN THE CHAIR**

**CS/CS/HB 681**—A bill to be entitled An act relating to interlock ignition devices ordered for probation for DUI; providing a short title; amending s. 316.193, F.S.; requiring that the court, as a condition of probation for a conviction of the offense of driving under the influence, impound or immobilize the vehicle that was operated by or was in the actual control of the defendant or require the defendant to install an interlock ignition device

on all vehicles that are individually or jointly leased or owned and routinely operated by the defendant for a specified period; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 13**—A bill to be entitled An act relating to sovereignty submerged lands; creating s. 253.0347, F.S.; providing for the lease of sovereignty submerged lands for private residential single-family docks and piers, private residential multifamily docks and piers, and private residential multislip docks; providing for the term of the lease and lease fees; providing for inspection of such docks, piers, and related structures by the Department of Environmental Protection; clarifying the authority of the Board of Trustees of the Internal Improvement Trust Fund and the department to impose additional fees and requirements; providing an appropriation; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 133**—A bill to be entitled An act relating to the assessment of residential and nonhomestead real property; creating s. 193.624, F.S.; providing definitions; excluding the value of certain installations, changes, or improvements made after a specified date from the assessed value of residential real property; providing for application; requiring the filing of applications by specified times in order for such installations, changes, or improvements to be excluded from the assessed value of residential real property; providing procedural requirements and limitations; requiring a nonrefundable filing fee for a petition to the value adjustment board; amending s. 193.155, F.S.; specifying additional exceptions to the assessment of homestead property at just value; amending s. 193.1554, F.S.; specifying additional exceptions to assessment of nonhomestead property at just value; amending s. 196.012, F.S.; deleting the definition of the terms "renewable energy source device" and "device"; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the property tax exemption for renewable energy source devices; providing for application of the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 869**—A bill to be entitled An act relating to the Pinellas Planning Council, Pinellas County; codifying, amending, reenacting, and repealing special acts relating to the district; reorganizing the council; setting forth the purpose of the council; providing legislative intent that the countywide plan be broadly defined and policy-based; providing that the primary focus of the council will be land use and transportation planning; providing definitions; providing that the membership of the council shall be the same as that of the Pinellas County Metropolitan Planning Organization; providing for the election of officers, meetings of the council, requirements of a quorum, and member expenses; providing for the powers and duties of the council, including revising the required components of the countywide plan, consistent with the stated legislative intent; providing for countywide staff and committees; providing for a budget and annual independent audit; recognizing the countywide planning authority of the Pinellas County Board of County Commissioners as provided by the Pinellas County Charter; providing for the repeal of the existing countywide plan, adoption of a new countywide plan, future amendment of the plan, and standards and procedures for such actions; providing a timetable for consistency review after adoption of a new countywide plan; providing for public hearing and notice requirements; requiring the authority to adopt specific notice standards in the countywide rules; providing for compliance with part II of chapter 163, Florida Statutes; repealing chapters 73-594, 74-584, 74-586, 76-473, 88-464, and 90-396, Laws of Florida; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/CS/HB 999**—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent; defining the term "bedroom"; conforming cross-references; providing for any permit issued and approved by the Department of Health for the installation, modification, or repair of an onsite sewage treatment and disposal system to transfer with the title of the property; providing conditions under which governmental entities are prohibited from requiring certain inspections and systems; providing applicability; providing an exception; providing circumstances in which an onsite sewage treatment and disposal system is not considered abandoned; providing for the validity of an onsite sewage treatment and disposal system permit if rules change before final approval of the constructed system, under certain conditions; providing that a system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; deleting provisions requiring the department to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; deleting obsolete provisions; creating s. 381.00651, F.S.; requiring a county or municipality containing a first magnitude spring to adopt by ordinance, under certain circumstances, the program for the periodic evaluation and assessment of onsite sewage treatment and disposal systems; requiring the county or municipality to notify the Secretary of State of the ordinance; authorizing a county or municipality, in specified circumstances, to opt out by a majority plus one vote of certain requirements by a specified date; authorizing a county or municipality to adopt or repeal, after a specified date, an ordinance creating an evaluation and assessment program, subject to notification of the Secretary of State; providing criteria for evaluations, qualified contractors, and repair of systems; providing for certain procedures and exemptions in special circumstances; defining the term "system failure"; requiring that certain procedures be used for conducting tank and drainfield evaluations; providing for certain procedures in special circumstances; providing for contractor immunity from liability under certain conditions; providing for assessment procedures; providing requirements for county health departments; requiring the Department of Health to allow county health departments and qualified contractors to access the state database to track data and evaluation reports; requiring counties and municipalities to notify the Secretary of Environmental Protection and the Department of Health when an evaluation program ordinance is adopted; requiring the Department of Environmental Protection to notify those counties or municipalities of the use of, and access to, certain state and federal program funds and to provide certain guidance and technical assistance upon request; prohibiting the adoption of certain rules by the Department of Health; providing for applicability; repealing s. 381.00656, F.S., relating to a grant program for the repair of onsite sewage treatment and disposal systems; amending s. 381.0066, F.S.; lowering the fees imposed by the department for certain permits; conforming cross-references; providing an effective date.

—was read the second time by title.

Representative Dorworth offered the following:

(Amendment Bar Code: 303655)

**Amendment 1**—Remove lines 229-230 and insert:  
Reduction Strategies Project. This paragraph does not apply to a

Rep. Dorworth moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/CS/HB 1099**—A bill to be entitled An act relating to stalking; amending s. 741.315, F.S.; providing that additional types of injunctions issued by a court of a foreign state shall be accorded full faith and credit by the courts of this state and enforced as if they were orders issued under specified provisions; amending s. 784.048, F.S.; redefining the terms "course of conduct" and "credible threat"; providing that a person who makes a threat that places another person in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person

commits the offense of aggravated stalking under certain circumstances; providing criminal penalties; requiring that the sentencing court consider issuing an order restraining a defendant from any contact with the victim for up to 10 years; providing legislative intent regarding the length of any such restraining order; creating s. 784.0485, F.S.; creating a civil cause of action for an injunction for protection against stalking or cyberstalking; providing that a victim of stalking or cyberstalking or a parent or legal guardian on behalf of a minor child victim has standing in the circuit court to file a sworn petition for an injunction for protection against stalking or cyberstalking; prohibiting a court from issuing mutual orders of protection, but authorizing the court to issue a separate injunction for protection against stalking or cyberstalking if each party has complied with the provisions of law; providing for venue of the cause of action; prohibiting the clerk of the court from assessing a filing fee; providing an exception; providing that a petitioner is not required to post a bond; requiring the clerks of court to assist petitioners in filing petitions with the court; requiring the clerk of the court in each county to make available informational brochures; providing a sample petition for an injunction for protection against stalking or cyberstalking; authorizing the court to grant a temporary injunction ex parte, pending a full hearing, under certain circumstances; authorizing the court to grant such relief as the court deems necessary and proper; providing procedures for an ex parte injunction hearing; setting forth the criteria the court must consider at the hearing; requiring the court to allow an advocate from a state attorney's office, law enforcement agency, certified domestic violence center, or certified rape crisis center to be present with the petitioner or respondent during any court proceeding; requiring the clerk of the court to furnish a copy of the petition, notice of hearing, and temporary injunction, if any, to the sheriff or a law enforcement agency of the county where the respondent resides or can be found, who shall serve it upon the respondent as soon thereafter as possible on any day of the week and at any time of the day or night; authorizing the court to order a law enforcement officer to accompany the petitioner; authorizing the court to enforce a violation of an injunction for protection against stalking or cyberstalking through a civil or criminal contempt proceeding; authorizing a state attorney to use criminal procedures for a violation of an injunction for protection; creating s. 784.0487, F.S.; providing procedures to follow when the respondent has violated the injunction for protection; providing criminal penalties; providing that a court may award a person who suffers an injury or loss as a result of a violation of an injunction for protection against stalking or cyberstalking economic damages for that injury or loss, including costs and attorney fees for enforcement of the injunction; amending s. 790.233, F.S.; providing that a person may not have in his or her possession any firearm or ammunition if a final injunction is currently in force to restrain that person from committing acts of stalking or cyberstalking; providing criminal penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of CS/CS/HB 651 was temporarily postponed.

**CS/HB 575**—A bill to be entitled An act relating to the Hillsborough County Aviation Authority; codifying, reenacting, and amending the Authority's special acts; providing that the act is a reviser; deleting provisions which have expired, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies and redundancies; improving clarity and facilitating correct interpretation; clarifying definitions; providing that independent special districts operate to serve a public purpose; incorporating specific references to existing practices; clarifying procedure for election of members; clarifying that advertisement provisions pertain to sealed bids and other competitive selection processes when and as required; clarifying employment responsibilities; clarifying procedures for manual execution of instruments on behalf of the Authority; providing that the Authority can dispose of personal property, derelict or abandoned aircraft, and derelict or abandoned vehicles in accordance with existing statutory law; deleting the requirement that the Authority may not hold alcoholic beverage licenses

exceeding a certain number; clarifying the requirements for award of contracts and clarifying when such requirements do not apply; providing for recodification; repealing chapters 2003-370 and 2007-292, Laws of Florida, relating to the Authority; providing a savings clause; providing an effective date.

—was read the second time by title.

Representative Young offered the following:

(Amendment Bar Code: 919959)

**Amendment 1**—Remove line 877 and insert:  
\$50,000 shall not be entered into for construction, improvement,

Rep. Young moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 577**—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to increase the amount of pension received by a widow or widower or child or children should a member lose his or her life or later die from injuries or causes occurring while in the discharge of duties; allowing a joint annuitant who is also a lawfully wedded spouse to be eligible for a 13th check; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 4175**—A bill to be entitled An act relating to Palm Beach County; repealing chapter 69-1432, Laws of Florida, relating to rabies vaccination and licensing and regulation of animals; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HM 611**—A memorial to the Congress of the United States, urging Congress to direct the United States Fish and Wildlife Service to reconsider the proposed rule to designate Kings Bay as a manatee refuge and in lieu of the rule partner with the state and local governments in seeking joint long-term solutions to manatee protection.

WHEREAS, the United States Fish and Wildlife Service established the Crystal River National Wildlife Refuge in 1983 to provide protection and sanctuary for the endangered West Indian manatee within portions of Kings Bay in Crystal River, and

WHEREAS, the rules currently in effect within the refuge have resulted in a significant increase in manatee population as evidenced by monitoring, sound science, and local data, and

WHEREAS, the United States Fish and Wildlife Service has proposed a rule to designate all of Kings Bay as a manatee refuge, and

WHEREAS, adoption of the proposed rule will have a significant adverse impact on the tourism industry, which is a critical part of the Crystal River economy, at a time when its local economy is already seriously weakened by challenges within the national economy, and

WHEREAS, adoption of the proposed rule will also have a significant adverse impact on the riparian rights of property owners adjacent to Kings Bay and the connecting waterways, and

WHEREAS, prohibiting the use of any portion of Kings Bay for recreational boating activities, such as swimming, kayaking, and water skiing, will force such activities into the channel of Crystal River, subjecting participants to significant risks associated with sharing the channel with commercial fishing boats and other large watercraft, and

WHEREAS, there are viable alternatives to the proposed rule, such as increased enforcement of the rules currently in effect, which would

accomplish the desired outcome of a reduced incidence rate of manatee injury or death without unduly restricting public use of Kings Bay, a water body that has historically served as the heart of the Crystal River community, and

WHEREAS, the City Council of the City of Crystal River and the Board of County Commissioners of Citrus County passed unanimous resolutions requesting that the United States Fish and Wildlife Service reconsider the proposed rule, and

WHEREAS, adoption of the proposed rule without a proper review of the impact on the City of Crystal River and the surrounding communities would be arbitrary and capricious, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to direct the United States Fish and Wildlife Service to reconsider the proposed rule to designate Kings Bay as a manatee refuge and in lieu of the rule partner with the state and local governments in seeking joint long-term solutions to manatee protection.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Smith, the memorial was adopted. The vote was:

Session Vote Sequence: 925

Representative Legg in the Chair.

Yeas—76

Adkins	Diaz	Kreegel	Proctor
Ahern	Dorworth	Legg	Ray
Albritton	Drake	Logan	Renuart
Artiles	Eisnagle	Lopez-Cantera	Roberson, K.
Aubuchon	Ford	Mayfield	Rooney
Baxley	Fresen	McBurney	Schenck
Bileca	Frishe	Metz	Smith
Boyd	Glorioso	Moraitis	Snyder
Brandes	Goodson	Nehr	Stargel
Brodeur	Grant	Nelson	Steube
Broxson	Hager	Núñez	Tobia
Burgin	Harrell	Oliva	Trujillo
Caldwell	Harrison	Passidomo	Van Zant
Cannon	Holder	Patronis	Weatherford
Coley	Hooper	Perry	Weinstein
Corcoran	Horne	Pilon	Williams, T.
Costello	Hudson	Plakon	Wood
Crisafulli	Hukill	Porter	Workman
Davis	Ingram	Precourt	Young

Nays—35

Abruzzo	Garcia	Porth	Soto
Bembry	Gibbons	Reed	Stafford
Berman	Jenne	Rehwinkel	Taylor
Bernard	Jones	Rogers	Thompson, G.
Bullard	Julien	Rouson	Thurston
Chestnut	Kiar	Sands	Waldman
Clemens	Kriseman	Saunders	Watson
Cruz	Pafford	Schwartz	Williams, A.
Fullwood	Perman	Slosberg	

Votes after roll call:

Yeas—Gaetz, Gonzalez

Nays—Campbell

Under Rule 11.7(i), the memorial was immediately certified to the Senate.

**CS/HB 637**—A bill to be entitled An act relating to Citrus County; amending chapter 84-409, Laws of Florida, as amended; revising criteria for special alcoholic beverage licenses for restaurants within the county; providing construction; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 959**—A bill to be entitled An act relating to state and local government relations with Cuba or Syria; amending s. 215.471, F.S.; prohibiting the State Board of Administration from being a fiduciary with respect to voting on any proxy resolution advocating expanded United States trade with Cuba or Syria; prohibiting the State Board of Administration from being a fiduciary with respect to having the right to vote in favor of any proxy resolution advocating expanded United States trade with Cuba or Syria; creating reporting requirements; amending s. 287.135, F.S.; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that has business operations in Cuba or Syria; requiring a contract provision that allows for termination of the contract if the company is found to have business operations in Cuba or Syria; providing exceptions; requiring certification upon submission of a bid or proposal for a contract, or before a company enters into or renews a contract, with an agency or governmental entity that the company is not engaged in business operations in Cuba or Syria; providing procedures upon determination that a company has submitted a false certification; providing for civil action; providing penalties; providing attorney fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General of the United States after the act becomes law; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 1117**—A bill to be entitled An act relating to conservation of wildlife; authorizing certain zoos and aquariums to apply to the Board of Trustees of the Internal Improvement Trust Fund or the governing board of a water management district to use state lands or water management district lands for specified purposes; providing application requirements; providing criteria for the approval of such uses; requiring the Fish and Wildlife Conservation Commission to provide technical assistance in reviewing such applications; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

THE SPEAKER IN THE CHAIR

### Moment of Silence

At the request of Rep. Slosberg, the House observed a moment of silence for Matthew William Beard and Grace Redgate, who were tragically killed by drunk drivers.

**HB 605**—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-466, Laws of Florida; authorizing purchases of goods and services by the county and other public bodies operating in the county under bids submitted to tax-exempt organizations under the provisions of section 501(c)(3) of the Internal Revenue Code which are organized exclusively to assist governmental entities in serving and representing citizens; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/CS/HB 319**—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 468.433, F.S.; prohibiting the Department of Business and Professional Regulation from publishing a community association manager's personal home address unless it is for the purpose of satisfying a public records request; amending s. 718.112, F.S.; revising provisions relating to the terms of condominium board of administration members; revising condominium unit owner meeting notice

requirements; providing application of certain provisions relating to elections; revising recordkeeping requirements of a condominium association board; requiring challenges to an election to commence within a certain time period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; providing duties of the division regarding recall petitions; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.116, F.S.; revising liability of certain condominium unit owners acquiring title; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; revising voting requirements under certain conditions; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.104, F.S.; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring challenges to an election to commence within a certain time period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; providing duties of the division regarding recall petitions; amending s. 719.108, F.S.; revising language with respect to assessments and liens; revising liability of unit owners; providing liability limitations of a first mortgagee or its successor or assignees who acquire title to a unit by foreclosure; providing requirements for persons acquiring title; authorizing the association to record a claim of lien under certain conditions; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; revising voting requirements under certain conditions; amending s. 720.303, F.S.; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; providing duties of the division regarding recall petitions; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; revising voting requirements under certain conditions; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring challenges to an election to commence within a certain time period; amending s. 720.307, F.S.; revising when members other than

the developer are entitled to elect at least a majority of the members of the board of directors of the homeowners' association; amending s. 720.3085, F.S.; revising liability of certain parcel owners acquiring title; requiring a person acquiring title to pay certain amounts due within a certain time period; amending s. 721.16, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Representative Moraitis offered the following:

(Amendment Bar Code: 316471)

**Amendment 1 (with title amendment)**—Remove lines 139-144

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#### TITLE AMENDMENT

Remove lines 4-9 and insert:

specific code update requirements; amending s. 718.112, F.S.; revising

Rep. Moraitis moved the adoption of the amendment, which was adopted.

Representative Moraitis offered the following:

(Amendment Bar Code: 620849)

**Amendment 2 (with title amendment)**—Remove lines 2005-2040

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#### TITLE AMENDMENT

Remove lines 108-112 and insert:

a certain time period; amending s. 720.3085, F.S.; revising

Rep. Moraitis moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 609**—A bill to be entitled An act relating to wage protection for employees; creating a civil cause of action for the collection of unpaid wages; defining terms; requiring an employer to pay the wages due to an employee for the work that the employee performed within a reasonable time after the date on which the employee performed the work; requiring a claimant, as a condition precedent to bringing a claim for unpaid wages, to notify in writing the employer of the employee's intention to initiate a claim; providing for the content of the notice; allotting the employer a specific time to pay the total amount of unpaid wages or otherwise resolve the claim to the satisfaction of the claimant; providing for the venue of such claims; prohibiting the maintenance of a class action; providing for damages to include court costs and interest; authorizing a county, municipality, or political subdivision to establish an administrative, nonjudicial process by which a claim may be filed by, or on behalf of, an aggrieved employee; prohibiting a county, municipality, or political subdivision from adopting or maintaining in effect a law, ordinance, or rule for the purpose of addressing unpaid wage claims other than to establish an administrative process as provided in the act; providing that any regulation, ordinance, or other provision for recovery of unpaid wages by counties, municipalities, or political subdivisions is prohibited and preempted to the state; providing a limitation of applicability to certain employers; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/CS/HB 799**—A bill to be entitled An act relating to physical therapy; creating ss. 486.0715 and 486.1065, F.S.; authorizing issuance of a temporary permit to practice as a physical therapist or physical therapist assistant; providing requirements for issuing a temporary permit; providing for voiding of a temporary permit; providing requirements for the supervision of temporary permittees; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 1033**—A bill to be entitled An act relating to the Lealman Special Fire Control District, Pinellas County; amending chapter 2000-426, Laws of Florida, as amended; lowering the millage rate for the district; providing for future annexation; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 435**—A bill to be entitled An act relating to Gilchrist County; amending chapter 90-467, Laws of Florida; authorizing the School Board of Gilchrist County to issue bonds to finance and refinance the construction of educational facilities and purchase of equipment; authorizing the school board to issue refunding bonds and bond anticipation notes; requiring the school board to pay the principal of, premium for, and interest on such bonds out of funds that accrue annually to Gilchrist County and are allocated to the school board and from certain other moneys of the school board; providing for the investment of the proceeds of the sale of bonds; making the bonds legal investments, lawful collateral for public deposits, and negotiable instruments; providing that a referendum is not required to exercise any powers under the act, unless required by the State Constitution; affirming the distribution of funds that accrue to Gilchrist County and are allocated to the district school board and the board of county commissioners; providing construction; amending chapter 63-942, Laws of Florida, as amended; updating statutory references; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/CS/HB 455**—A bill to be entitled An act relating to sex offenses; amending s. 775.21, F.S.; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; conforming provisions; adding additional offenses to the list of sexual predator qualifying offenses; requiring disclosure of additional information during the sexual predator registration process; requiring that a sexual predator who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff's office within a specified period after such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified period; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 800.03, F.S.; providing enhanced penalties for third or subsequent indecent exposure violations; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; conforming provisions; requiring disclosure of additional sexual offender registration information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff's office within a specified period of such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; providing additional requirements for sexual offenders intending to reside outside of the United States; revising criteria applicable to provisions allowing removal from the requirement to register as a sexual offender; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 943.04351, F.S.; requiring a specified national search of registration information regarding sexual predators and sexual offenders prior to appointment or employment of

persons by state agencies and governmental subdivisions; amending s. 943.04354, F.S.; revising the criteria applicable to provisions allowing removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; replacing the term "instant message name" with the term "Internet identifier"; amending ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; conforming provisions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 947.005, F.S.; revising the definition of the term "risk assessment"; amending s. 948.31, F.S.; authorizing the court to require sexual offenders and sexual predators who are on probation or community control to undergo an evaluation to determine whether the offender or predator needs sexual offender treatment; requiring the probationer or community controllee to pay for the treatment; removing a provision prohibiting contact with minors if sexual offender treatment is recommended; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 947.1405, F.S.; requiring the commission to order electronic monitoring for certain conditional releasees; amending s. 948.30, F.S.; requiring the court to order electronic monitoring for certain offenders; amending s. 921.0022, F.S.; correcting references; providing an appropriation; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 1383**—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; transferring and reassigning functions and responsibilities of the Division of Law Enforcement, excluding the Bureau of Emergency Response, within the Department of Environmental Protection to the Division of Law Enforcement within the Fish and Wildlife Conservation Commission; reassigning the Bureau of Emergency Response within the Department of Environmental Protection to the Secretary of Environmental Protection as the Office of Emergency Response within the Department of Environmental Protection; providing for the transfer of additional positions to the commission; providing for a memorandum of agreement between the department and the commission regarding the responsibilities of the commission to the department; transferring and reassigning functions and responsibilities of sworn positions funded by the Conservation and Recreation Lands Program and assigned to the Florida Forest Service within the Department of Agriculture and Consumer Services and the investigator responsible for the enforcement of aquaculture violations at the Department of Agriculture and Consumer Services to the Division of Law Enforcement within the Fish and Wildlife Conservation Commission; providing for a memorandum of agreement between the department and the commission regarding the responsibilities between the commission and the department; providing for transition advisory working groups; assigning powers, duties, responsibilities, and functions for enforcement of the laws and rules governing certain lands managed by the Department of Environmental Protection and certain lands and aquaculture managed by the Department of Agriculture and Consumer Services to the Fish and Wildlife Conservation Commission; conferring full power to the law enforcement officers of the Fish and Wildlife Conservation Commission to investigate and arrest for violations of rules of the Department of Agriculture and Consumer Services, the Department of Environmental Protection, and the Board of Trustees of the Internal Improvement Trust Fund; providing for the retention and transfer of specified benefits for employees that are transferred from the Department of Environmental Protection and the Department of Agriculture and Consumer Services to fill positions transferred to the Fish and Wildlife Conservation Commission; creating s. 258.601, F.S.; specifying powers and duties of the commission relating to state parks and preserves and wild and scenic rivers; amending ss. 20.255, 258.008, 258.501, 282.709, 316.003, 316.2397, 316.640, 375.041, 376.065, 376.07, 376.071, 376.16, 376.3071, 379.3311, 379.3312, 379.3313, 379.333, 379.341, 379.343, 403.413, 784.07,

843.08, 843.085, 870.04, and 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 7125**—A bill to be entitled An act relating to exemptions from local business taxes; creating s. 205.067, F.S.; specifying that an individual licensed and operating as a broker associate or sales associate is not required to apply for an exemption from a local business tax or take certain actions relating to a local business tax; prohibiting a local governing authority from holding such exempt individual liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or from requiring the exempt individual to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for such exempt individuals in order to obtain a local business tax receipt; amending s. 205.066, F.S.; conforming provisions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 665**—A bill to be entitled An act relating to the Gasparilla Island Bridge Authority, Charlotte and Lee Counties; amending chapter 2000-425, Laws of Florida; correcting a scrivener's error; revising requirements for the election of the voting members of the board of supervisors; clarifying and revising financial disclosure requirements for members of the board of supervisors; revising the authority's fiscal year; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 5**—A bill to be entitled An act relating to juvenile offenders; providing a short title; providing definitions; providing that a juvenile offender who was less than 18 years of age at the time of commission of a nonhomicide offense and who is sentenced to life imprisonment is eligible for resentencing if the offender has been incarcerated for a minimum period; requiring an initial resentencing hearing to determine whether the juvenile offender has demonstrated maturity and reform for resentencing; providing criteria to determine maturity and reform; requiring a minimum term of probation for any juvenile offender resentenced by the court; providing consequences for probation violations; providing eligibility for a subsequent resentencing hearing after a specified period for juvenile offenders denied resentencing; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 1417**—A bill to be entitled An act relating to state investments; amending s. 215.47, F.S.; increasing the amount of money that may be invested in alternative investments by the State Board of Administration; providing an effective date.

—was read the second time by title.

#### REPRESENTATIVE LOPEZ-CANTERA IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 173**—A bill to be entitled An act relating to the Department of Juvenile Justice; amending s. 984.03, F.S.; deleting obsolete references; amending s. 985.03, F.S.; creating and revising definitions; amending s. 984.14, F.S.; deleting obsolete references; amending s. 985.441, F.S.; deleting an obsolete provision; amending s. 985.601, F.S.; revising the types of diversified and innovative programs to provide rehabilitative treatment that may be developed or contracted for by the department, to include mother-infant programs and remove reference to an obsolete program; authorizing the department, at the secretary's discretion, to pay up to a specified amount toward the basic funeral expenses for a youth who dies while in the custody of

the department and whose parents or guardians are indigent and for which no other funding is available; amending s. 985.0301, F.S.; deleting obsolete or unnecessary references and language; amending s. 985.045, F.S.; conforming a cross-reference; amending s. 985.688, F.S.; deleting obsolete references; amending s. 985.721, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/CS/CS/HB 481**—A bill to be entitled An act relating to clerks of court; amending s. 28.13, F.S.; providing requirements for storage of electronic filings; requiring papers and electronic filings to be electronically time stamped; amending s. 28.211, F.S.; prohibiting a clerk from charging a fee to view or print a copy of a docket via the Internet; amending s. 28.222, F.S.; authorizing the clerk to remove sealed or expunged court records from the Official Records; amending s. 28.24, F.S.; revising language concerning an exemption from charges for services provided to specified officials and their staffs; amending s. 28.244, F.S.; increasing the threshold amount for automatic repayment of overpayments; amending s. 28.345, F.S.; providing for access to clerks' files by state agencies and an exemption from copying fees and charges; limiting the application of an exemption from payment of fees and charges assessed by clerks of circuit courts to official use; amending s. 28.37, F.S.; providing that certain penalties or fines need not be deposited in the clerk's Public Records Modernization Trust Fund; amending s. 50.041, F.S.; authorizing the use of electronic proof of publication affidavits; amending s. 119.0714, F.S.; requiring certain persons to provide specific information to the clerk to maintain the public records exemption status of certain information under specified provisions; amending s. 197.542, F.S.; authorizing the clerk to issue a refund to the depositor for redeemed property subject to a tax sale; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 751**—A bill to be entitled An act relating to prescription drugs; amending s. 456.44, F.S.; revising the definition of the term "addiction medicine specialist" to include board-certified psychiatrists; excluding a board-certified psychiatrist as an addiction medicine specialist; including the American Board of Medical Specialties as a recognized certification entity; revising the definition of the term "chronic nonmalignant pain" to exclude reference to rheumatoid arthritis; exempting specified board-eligible health care providers from application of certain provisions; adding the American Board of Pain Medicine as a recognized board-certification entity for purposes of exemption from application of certain provisions; amending s. 458.3265, F.S.; revising the definition of the term "chronic nonmalignant pain" to exclude reference to rheumatoid arthritis; permitting specified board-eligible physicians to own a pain-management clinic without registering the clinic; permitting a rheumatologist to own a pain-management clinic without registering the clinic; including a physician multispecialty practice to permitted ownership forms of pain-management clinics; requiring at least one specialist in multispecialty practice to be board-eligible; recognizing the American Board of Pain Medicine, the American Association of Physician Specialists, and the American Osteopathic Association as board-certification organizations for purposes of determining a board-certified pain medicine specialist as an owner of a pain-management clinic; amending s. 459.0137, F.S.; revising the definition of the term "chronic nonmalignant pain" to exclude reference to rheumatoid arthritis; permitting a board-eligible rheumatologist to own a pain-management clinic; including a physician multispecialty practice to permitted ownership forms of pain-management clinics; permitting specified board-eligible physicians to own a pain-management clinic without registering the clinic; permitting a rheumatologist to own a pain-management clinic without registering the clinic; adding multispecialty practice to permitted ownership forms of pain-management clinics; requiring at least one specialist in multispecialty practice to be board-eligible; recognizing the American Board of Pain Medicine and the American Association of Physician Specialists as board-certification organizations for

purposes of determining a board-certified pain medicine specialist as owner of a pain-management clinic; amending s. 499.003, F.S.; revising the definitions of the terms "distribute" or "distribution," "drug," "establishment," and "prescription drug"; amending s. 499.01, F.S.; deleting provisions relating to an exemption from nonresident prescription drug manufacturer permit requirements; deleting provisions relating to an exemption from out-of-state prescription drug wholesale distributor permit requirements for intracompany sale or transfer of prescription drugs; providing an exemption from permit requirements for the distribution into this state of prescription drug active pharmaceutical ingredients for incorporation into prescription drugs in finished dosage form; requiring a distributor claiming such exemption to maintain a valid license, permit, or registration in the state from which the prescription drug was distributed; requiring compliance with certain recordkeeping requirements; exempting compliance with pedigree paper requirements; providing an exemption from permit requirements for distribution into this state of limited quantities of a prescription drug that has not been repackaged, for research and development or to a holder of a letter of exemption issued by the Department of Business and Professional Regulation for research, teaching, or testing; granting the department authority to define "limited quantities" by rule and limit therein the number of transactions and amount of prescription drugs distributed into the state; requiring a distributor claiming such exemption to maintain a valid license, permit, or registration in the state from which the prescription drug was distributed; requiring all purchasers and recipients of such prescription drugs to ensure the products are not resold or used on humans except in lawful clinical trials and biostudies; requiring compliance with certain recordkeeping requirements; exempting compliance from pedigree paper requirements; providing labeling requirements for active pharmaceutical ingredients distributed within the state for teaching, testing, research, and development; exempting from out-of-state prescription drug wholesale distributor permit requirements intracompany transactions or the sale of prescription drugs from an out-of-state distributor to a distributor in this state if both distributors conduct wholesale distributions under the same business name; requiring compliance with recordkeeping and pedigree paper requirements; allowing distributors and recipients of prescription drugs claiming exemption from certain permitting requirements to maintain on file their FDA registration number, resident state distributor license or permit number, and most recent resident state or FDA inspection report; providing that persons claiming such exemptions are subject to part I of chapter 499, F.S., the Florida Drug and Cosmetic Act; requiring persons claiming such exemptions to make all records regarding prescription drug distribution available to the department, upon request, within 48 hours; requiring submission of a report of mishandled or adulterated prescription drugs within 14 days after receipt of such drugs; authorizing the department to adopt rules; providing that failure to comply with requirements or rules governing such exemptions constitutes unlawful purchase or receipt of a prescription drug from a person not authorized to distribute prescription drugs to that purchaser or recipient; providing that knowing failure to comply with such requirements constitutes unlawful sale, distribution, purchase, trade, holding, or offering of a drug; providing penalties; providing construction with respect to federal and state laws relating to controlled substances; providing conditions for exemption from a prescription drug repackager permit with respect to certain restricted prescription drug distributor permitholders; providing an effective date.

—was read the second time by title.

Representative Brandes offered the following:

(Amendment Bar Code: 441559)

**Amendment 1 (with directory and title amendments)**—Remove line 152 and insert:

(d) "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of six years from successful completion of such residency program.

(e) ~~(d)~~ "Chronic nonmalignant pain" means pain unrelated to

Remove lines 198-202 and insert:

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of six years from successful completion of such residency program.

~~b. a.~~ "Chronic nonmalignant pain" means pain unrelated to cancer or rheumatoid arthritis which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

~~c. b.~~ "Pain-management clinic" or "clinic" means any publicly

Remove lines 244-248 and insert:

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of six years from successful completion of such residency program.

~~b. a.~~ "Chronic nonmalignant pain" means pain unrelated to cancer or rheumatoid arthritis which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

~~c. b.~~ "Pain-management clinic" or "clinic" means any publicly

#### DIRECTORY AMENDMENT

Remove line 132 and insert:

Section 1. Present paragraphs (a), (c), and (d) of subsection (1), paragraph (a) of subsection (2), and paragraph (e) of subsection (3) of section 456.44, Florida Statutes, are amended, and a new paragraph (d) is added to subsection (1) of that section, to read:

#### TITLE AMENDMENT

Remove line 5 and insert:

certified psychiatrists; defining the term "board eligible"; excluding a board-certified

Remove line 16 and insert:

458.3265, F.S.; defining the term "board eligible"; revising the definition of the term

Remove line 32 and insert:

459.0137, F.S.; defining the term "board eligible"; revising the definition of the term

Rep. Brandes moved the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 392293)

**Amendment 2 (with title amendment)**—Remove line 234 and insert: certified in pain medicine by the American Board of Pain Medicine or a

#### TITLE AMENDMENT

Remove line 26 and insert:

eligible; recognizing the American Board of Pain

Rep. Brandes moved the adoption of the amendment.



## THE SPEAKER IN THE CHAIR

The question recurred on the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 891537)

**Amendment 3 (with directory and title amendments)**—Between lines 344 and 345, insert:

(54) "Wholesale distribution" means distribution of prescription drugs to persons other than a consumer or patient, but does not include:

(a) Any of the following activities, which is not a violation of s. 499.005(21) if such activity is conducted in accordance with s. 499.01(2)(g):

1. The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a prescription drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of that organization.

2. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug by a charitable organization described in s. 501(c)(3) of the Internal Revenue Code of 1986, as amended and revised, to a nonprofit affiliate of the organization to the extent otherwise permitted by law.

3. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug among hospitals or other health care entities that are under common control. For purposes of this subparagraph, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, by voting rights, by contract, or otherwise.

4. The sale, purchase, trade, or other transfer of a prescription drug from or for any federal, state, or local government agency or any entity eligible to purchase prescription drugs at public health services prices pursuant to Pub. L. No. 102-585, s. 602 to a contract provider or its subcontractor for eligible patients of the agency or entity under the following conditions:

a. The agency or entity must obtain written authorization for the sale, purchase, trade, or other transfer of a prescription drug under this subparagraph from the State Surgeon General or his or her designee.

b. The contract provider or subcontractor must be authorized by law to administer or dispense prescription drugs.

c. In the case of a subcontractor, the agency or entity must be a party to and execute the subcontract.

~~d. A contract provider or subcontractor must maintain separate and apart from other prescription drug inventory any prescription drugs of the agency or entity in its possession.~~

~~d.e.~~ The contract provider and subcontractor must maintain and produce immediately for inspection all records of movement or transfer of all the prescription drugs belonging to the agency or entity, including, but not limited to, the records of receipt and disposition of prescription drugs. Each contractor and subcontractor dispensing or administering these drugs must maintain and produce records documenting the dispensing or administration. Records that are required to be maintained include, but are not limited to, a perpetual inventory itemizing drugs received and drugs dispensed by prescription number or administered by patient identifier, which must be submitted to the agency or entity quarterly.

~~e.f.~~ The contract provider or subcontractor may administer or dispense the prescription drugs only to the eligible patients of the agency or entity or must return the prescription drugs for or to the agency or entity. The contract provider or subcontractor must require proof from each person seeking to fill a prescription or obtain treatment that the person is an eligible patient of the agency or entity and must, at a minimum, maintain a copy of this proof as part of the records of the contractor or subcontractor required under subparagraph ~~d.e.~~

~~f.g.~~ In addition to the departmental inspection authority set forth in s. 499.051, the establishment of the contract provider and subcontractor and all records pertaining to prescription drugs subject to this subparagraph shall be subject to inspection by the agency or entity. All records relating to

prescription drugs of a manufacturer under this subparagraph shall be subject to audit by the manufacturer of those drugs, without identifying individual patient information.

**DIRECTORY AMENDMENT**

Remove line 286 and insert:

Section 4. Subsections (17), (19), (20), and (43) and paragraph (a) of subsection (54) of

**TITLE AMENDMENT**

Remove lines 52-53 and insert:

"distribution," "drug," "establishment," "prescription drug," and "wholesale distribution"; amending s. 499.01, F.S.;

Rep. Brandes moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/CS/HB 233**—A bill to be entitled An act relating to misdemeanor probation services; amending s. 948.15, F.S.; requiring that defendants convicted of certain misdemeanor controlled substance offenses who receive probation supervision services that include substance abuse education and intervention services receive such services from a licensed substance abuse service provider in certain instances; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 1483**—A bill to be entitled An act relating to Alachua County; amending chapter 57-1118, Laws of Florida, as amended; revising the location of the county law library; removing outdated and unnecessary sections relating to assessment of certain fees and court costs; providing editorial revisions to update the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 1255**—A bill to be entitled An act relating to the Acme Improvement District and the Lake Worth Drainage District, Palm Beach County; transferring land referred to as the "Wellington Medical Arts District" from the Lake Worth Drainage District to the Acme Improvement District; providing purposes; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 1301**—A bill to be entitled An act relating to the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended, relating to the West Palm Beach Police Pension Fund; revising definitions; revising provisions relating to retirement pension calculation, funding of share accounts, supplemental pension distribution, the deferred retirement option plan (DROP), duty disability pension, member contributions and refunds, rollovers from qualified plans, and actuarial assumptions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 1325**—A bill to be entitled An act relating to the City of West Palm Beach, Palm Beach County; amending chapter 24981, Laws of Florida, 1947, as amended; revising definitions relating to the West Palm Beach Firefighters Pension Fund; providing for chapter 175 funds to be used to reduce member contributions to the fund for specified calendar years; providing that the city shall make up certain shortfalls in member contributions; providing for a reduction in member contributions for 2 years; revising the fixed rate for certain members; requiring members to take a lump sum distribution of their entire share account balance within a specified time after their termination of

employment in certain circumstances; deleting a provision requiring members to elect to participate in BackDROP within a specified time or forfeit their benefits; providing a lower interest rate for BackDROP benefits for retirements after a certain date; revising BackDROP benefits; revising availability of loans for certain members; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 1481**—A bill to be entitled An act relating to Loxahatchee Groves Water Control District, Palm Beach County; amending chapter 99-425, Laws of Florida; revising procedures for election of members of the board of supervisors; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing severability; providing an effective date.

—was read the second time by title.

Representative Abruzzo offered the following:

(Amendment Bar Code: 222779)

**Amendment 1**—Remove lines 16-27 and insert:

a. Election of supervisors.—Every year in the same month that a supervisor's term expires as provided in ss. 298.11 and 298.12, Florida Statutes, the district shall call a meeting of the landowners in the district for the purpose of electing a supervisor for such vacancy or existing vacancies. There shall be one ballot for each vacancy. To be elected, a candidate must have a majority of the votes on that ballot. In the event no candidate receives a majority of votes on the first ballot, a run-off ballot shall be held between the two candidates receiving the highest number of votes on the first ballot. The following procedures shall apply to the election of board members, including appointees, to the board of supervisors of the district:

Rep. Abruzzo moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

### Motion to Adjourn

Rep. Weatherford moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 10:00 a.m., Wednesday, February 29, 2012, or upon call of the Chair. The motion was agreed to.

### Conference Committee Assignments

The Speaker advised that he had made the following Conference Committee assignments:

Membership of the Conference Committee on HB 5001, HB 5003, HB 5005, HB 5007, HB 5009, and HB 5011 to serve with Rep. Grimsley, Chair; At-Large: Reps. Aubuchon, Chestnut, Dorworth, Frishe, Holder, Hukill, Jones, Legg, Lopez-Cantera, McKeel, Sands, Saunders, Schenck, Snyder, and Weatherford; HB 5601 and SB 1986, House Agriculture & Natural Resources/Senate General Government—Rep. T. Williams, Chair, and Reps. Artiles, Bembry, Boyd, Crisafulli, Goodson, and Porter; CS/HB 843, HB 5501, HB 5503, HB 5505, HB 5507, CS/HB 5509, and HB 5511, House Government Operations/Senate General Government—Rep. Hooper, Chair, and Reps. Berman, Gibbons, Mayfield, Nelson, Patronis, Watson, and Weinstein; HB 5301, HB 5303, and SB 1990, House Health Care/Senate Health and Human Services—Rep. Hudson, Chair, and Reps. Baxley, Bileca, Cocoran, Cruz, Davis, Diaz, Pafford, Schwartz, Wood, and Young; HB 5201, CS/HB 5203, and SB 1994, House Higher Education/Senate Higher Education—Rep. O'Toole, Chair, Rep. Proctor, Acting Co-Chair, Rep. Gonzalez, Acting Co-Chair, and Reps. Ahern, Bullard, Harrison, Nuñez, Oliva, Passidomo, Reed, Stargel, Taylor, Trujillo, and A. Williams; HB 5401, HB 5403, HB 5405, SB 1958, SB 1960, SB 1964, and SB 1968, House

Justice/Senate Criminal and Civil Justice—Rep. Glorioso, Chair, and Reps. Eisnaugle, Grant, Harrell, McBurney, Metz, Perry, Pilon, Rouson, Soto, and Waldman; HB 5101 and CS/HB 5103, House PreK-12/Senate Education PreK-12—Rep. Coley, Chair, and Reps. Adkins, Clarke-Reed, Fresen, Gaetz, Hager, Kiar, Logan, Smith, and Thompson; SB 1996 and SB 1998, House Transportation & Economic Development/Senate Transportation, Tourism and Economic Development—Rep. Horner, Chair, and Reps. Bernard, Brandes, Brodeur, Broxson, Burgin, Drake, Nehr, Rogers, and Workman; CS/CS/HB 87, CS/HB 737, HB 5701, HB 5703, and HB 7087, House Finance & Tax/Senate Finance and Tax—Rep. Precourt, Chair, and Reps. Albritton, Caldwell, Costello, Julien, Ray, Randolph, Rooney, Steube, and Thurston.

### Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Caldwell

Yeas—February 27: 912, 913

### First-named Sponsors

HB 317—Drake

CS/HB 1323—Ford

### Cosponsors

CS/HB 37—Harrell

CS/HJR 93—McBurney

CS/HB 95—McBurney

CS/HB 171—Campbell

HB 217—Costello

HB 317—Holder

HM 499—McBurney

HB 513—Costello

CS/CS/HB 651—Costello, Tobia

HM 717—Abruzzo

CS/HB 839—Porter, Trujillo, Weinstein

CS/CS/HB 921—Porter

CS/CS/HB 1119—Costello

CS/CS/HB 1173—Coley

HB 1209—Smith, Tobia

HB 1513—Smith

HB 5501—Campbell

HB 5503—Campbell

HB 7131—Rehwinkel Vasilinda

### Withdrawals as Cosponsor

HB 317—Drake

HB 1365—Trujillo

## Introduction and Reference

By the Education Committee; Representative **Proctor**—

**HB 7135**—A bill to be entitled An act relating to postsecondary education; amending s. 1001.02, F.S.; providing additional requirements for the State Board of Education's coordinated 5-year plan for postsecondary enrollment and its strategic plan specifying goals and objectives; providing a state board duty to require Florida College System institutions to provide students with electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity; requiring state board rules to revise credit hour requirements in general education courses; amending s. 1001.03, F.S.; requiring the state board to identify performance metrics for the Florida College System and develop a plan that specifies goals and objectives for each Florida College System institution; requiring the state board to adopt a unified state plan for science, technology, engineering, and mathematics in K-20 education; amending s. 1001.10, F.S.; authorizing the Commissioner of Education to conduct a review of certain practices or actions at a Florida College System institution; amending s. 1001.64, F.S.; conforming provisions; amending s. 1001.706, F.S.; providing additional requirements for the Board of Governors' strategic plan specifying goals and objectives for the State University System and each university and its accountability plan; providing a duty of the Board of Governors to require state universities to provide students with electronic access to the economic security report of employment and earning outcomes; authorizing the Board of Governors to waive or modify its regulations, statutory requirements, or certain fee requirements; authorizing the Board of Governors to revoke or modify certain powers or duties; amending s. 1002.20, F.S.; requiring certain public school students to be provided electronic access to the economic security report of employment and earning outcomes; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to annually report recommendations for postsecondary education; amending s. 1005.22, F.S.; requiring the Commission for Independent Education to collect and report certain student data; amending s. 1007.23, F.S.; providing that the statewide articulation agreement must require certain Florida College System students to provide information relating to continued education; amending s. 1007.25, F.S.; revising provisions relating to general education course requirements and associate and baccalaureate degree requirements; providing requirements for general education core course options; amending s. 1007.33, F.S.; providing additional requirements for notice of intent to propose a baccalaureate degree program at a Florida College System institution; requiring an institution offering a baccalaureate degree program to report its status using specified performance and compliance standards; deleting provisions relating to exemption from state board approval of certain baccalaureate degree programs; amending s. 1008.31, F.S.; requiring certain independent colleges and universities to report data for students who receive state funds; amending s. 1008.46, F.S.; conforming provisions; creating s. 1011.905, F.S.; requiring the Board of Governors to review and rank each state university that applies for performance funding based on an established formula; requiring the Board of Governors to award up to a specified amount to the highest-ranked state universities; requiring a report to the Governor and Legislature; creating s. 445.07, F.S.; requiring the Department of Economic Opportunity to annually prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Representative **Wood**—

**HB 7137**—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; redefining the term "support

coordinator"; amending s. 393.0661, F.S.; deleting legislative findings and intent; revising provisions relating to the home and community-based services system; requiring the use of certain assessment instruments as directed by the agency; providing for enrollment into tier waivers; revising criteria for tier waivers; directing establishment of performance criteria for and evaluation of support coordinator services; revising content and dates for a report; deleting obsolete provisions; amending s. 393.0662, F.S.; specifying use of an allocation algorithm; providing steps for determining iBudget amounts; requiring a report on the iBudget system; amending s. 393.067, F.S.; providing exceptions for inspections in accredited facilities; amending s. 393.11, F.S.; authorizing the agency to petition the court for involuntary admission to residential services; amending s. 393.125, F.S.; providing the agency with final order authority in Medicaid program hearings; creating s. 393.28, F.S.; providing authority and procedures for food service and environmental health protection in licensed facilities and programs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## First Reading of Committee and Subcommittee Substitutes by Publication

By the Economic Affairs Committee; and Insurance & Banking Subcommittee; Representatives **Boyd, Albritton, Broxson, Costello, Horner, and Wood**—

**CS/CS/HB 119**—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.066, F.S.; revising provisions relating to the contents of written reports of motor vehicle crashes; amending s. 627.736, F.S.; providing limitations on attorney fees for certain actions under the Florida Motor Vehicle No-Fault Law; specifying that the limitations on attorney fee awards does not limit the attorney fees an insured may pay her or his attorney; creating s. 627.748, F.S.; designating specified provisions as the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing legislative findings; creating s. 627.7481, F.S.; providing purposes; creating s. 627.74811, F.S.; providing legislative intent that provisions, schedules, or procedures are to be given full force and effect regardless of their express inclusion in insurer forms; creating s. 627.7482, F.S.; providing definitions; creating s. 627.7483, F.S.; requiring every owner or registrant of a motor vehicle required to be registered and licensed in this state to maintain specified security; providing exceptions; requiring every nonresident owner or registrant of a motor vehicle that has been physically present within this state for a specified period to maintain security; specifying means by which such security is provided; providing an exemption; creating s. 627.7484, F.S.; providing requirements for filing and maintaining proof of security; providing penalties; creating s. 627.7485, F.S.; requiring that insurance policies provide medical care coverage to specified persons; providing limits of coverage; specifying limits for medical, disability, and death benefits; providing restrictions on insurers with respect to provision of required benefits; authorizing insurers writing motor vehicle liability insurance to offer additional first-party motor vehicle coverages; prohibiting requiring purchase of other motor vehicle coverage as a condition for providing such benefits; prohibiting insurers from requiring the purchase of property damage liability insurance exceeding a specified amount in conjunction with medical care coverage insurance; providing that failure to comply with specified availability requirements constitutes an unfair method of competition or an unfair or deceptive act or practice; providing penalties; specifying benefits an insurer may exclude; providing procedure with respect to such exclusions; specifying when benefits are due from an insurer; prohibiting insurers from obtaining liens on recovery of special damages in tort claims for medical care coverage benefits; providing that benefits under the Florida Motor Vehicle No-Fault Medical Care Coverage Law are subject to the Medicaid program in specified circumstances; specifying when benefits are overdue; requiring insurers to hold a specified amount of benefits in reserve for a certain time for the payment of providers; providing for interest on overdue payments; providing for tolling the time period in which medical care coverage benefits

are required to be paid when the insurer has reasonable belief that fraud has been committed; specifying injuries for which an insurer must pay medical care coverage benefits; disallowing benefits to an insured who has committed insurance fraud; providing that a person or entity lawfully rendering treatment to an injured person for a bodily injury covered by medical care coverage may charge only a reasonable amount for services and care; providing that the insurer may pay such charges directly to the person or entity lawfully rendering such treatment; providing limits on such charges; providing for determination of reasonableness of charges; providing that payments made by an insurer pursuant to the schedule of maximum charges, or for lesser amounts billed by providers, are considered reasonable; establishing a schedule of maximum charges; specifying that reimbursement under a schedule of maximum charges that is based on Medicare is to be calculated under the applicable Medicare schedule in effect on a specified date each year; authorizing insurers to use all Medicare coding policies and CMS payment methodologies in determining reimbursement under a schedule of maximum charges that is Medicare-based; establishing limits on specified services and care; providing conditions under which an insurer or insured is not required to pay a claim or charges; requiring the Department of Health to adopt, by rule, a list of diagnostic tests deemed not to be medically necessary and to periodically revise the list; providing procedures and requirements with respect to statements of and bills for charges for emergency services and care; directing the Financial Services Commission to adopt by rule a disclosure and acknowledgment form to be countersigned by claimants upon receipt of medical services; providing procedures and requirements with respect to investigation of claims of improper billing by a physician or other medical provider; prohibiting insurers from systematically downcoding with intent to deny reimbursement; requiring insureds to comply with all terms of the medical care coverage policy, including submission to examinations under oath; limiting the scope of questioning during such examinations under oath; providing that compliance with policy terms is a condition precedent to the receipt of medical care coverage benefits; providing that it is an unfair method of competition or an unfair or deceptive trade practice for an insurer, as a general business practice, to request examinations under oath without a reasonable basis; providing for insurers to inspect the physical premises of providers seeking payment of medical care coverage benefits; providing that when an insured fails to appear for two or more mental or physical examinations, the medical care coverage carrier is not liable for subsequent medical care coverage benefits; creating a rebuttable presumption that an insured's failure to appear for two examinations is an unreasonable refusal to appear; creating an attorney fee cap; prohibiting the use of contingency risk multipliers in calculating attorney fee awards; requiring that an insurer must be provided with written notice of an intent to initiate litigation as a condition precedent to filing any action for benefits; providing requirements with respect to a demand letter; providing procedures and requirements with respect to payment of an overdue claim; providing for the tolling of the time period for an action against an insurer; providing that failure to pay valid claims with specified frequency constitutes an unfair or deceptive trade practice; providing penalties; providing circumstances under which an insurer has a cause of action; providing for fraud advisory notice; requiring that all claims related to the same health care provider for the same injured person be brought in one action unless good cause is shown; authorizing the electronic transmission of notices and communications under certain conditions; creating s. 627.7486, F.S.; providing an exemption from tort liability for certain damages in legal actions under the Florida Motor Vehicle No-Fault Medical Care Coverage Law in certain circumstances; providing for recovery of tort damages in certain circumstances; providing for motions to dismiss action on specified grounds; prohibiting the award of punitive damages; creating s. 627.7487, F.S.; providing for optional deductibles and limitations of coverage for medical care coverage policies; requiring a specified notice to policyholders; creating s. 627.7488, F.S.; requiring the commission to adopt by rule a form for the notification of insureds of their right to receive medical care coverage benefits; specifying contents of such notice; providing requirements for the mailing or delivery of such notice; creating s. 627.7489, F.S.; providing for mandatory joinder of specified claims; creating s. 627.749, F.S.; providing for an insurer's right of reimbursement for medical care benefits paid to a person injured by a

commercial motor vehicle under specified circumstances; creating s. 627.7491, F.S.; providing for application of the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing for requirements for forms and rates for policies issued or renewed on or after a specified date; requiring a specified notice to existing policyholders; amending ss. 316.646, 318.18, 320.02, 320.0609, 320.27, 320.771, 322.251, 322.34, 324.021, 324.0221, 324.032, 324.171, 400.9935, 409.901, 409.910, 456.057, 456.072, 626.9541, 627.06501, 627.0652, 627.0653, 627.4132, 627.6482, 627.7263, 627.727, 627.7275, 627.728, 627.7295, 627.8405, 627.915, 628.909, 705.184, 713.78, and 817.234, F.S.; conforming provisions; providing a directive to the Division of Statutory Revision; providing applicability; providing for severability; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Health Care Appropriations Subcommittee; and Health & Human Services Quality Subcommittee; Representatives **Kreegel, Harrell, Renuart, and Steube**—

**CS/CS/CS/HB 363**—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; deleting the requirement that the Department of Health issue a license to a physician assistant to prescribe medicinal drugs and requiring only a prescription number; requiring a physician assistant seeking to prescribe medicinal drugs to submit certain evidence at the time of initial licensure of completion of a course in pharmacotherapeutics from an accredited school; providing that a physician assistant wishing to apply for a prescriber number must submit course transcripts and a copy of the course description in addition to other licensure application requirements; requiring a physician assistant seeking to apply for a prescriber number upon biennial licensure renewal to submit evidence of completion of at least 3 classroom hours in an approved program that covers prescribing limitations, responsibilities, and privileges involved in prescribing medicinal drugs; conforming provisions to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; and Community & Military Affairs Subcommittee; Representative **Eisnagle**—

**CS/CS/HB 475**—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose specified information on the Internet; providing that the civil penalty accrues to the state and requiring that it be deposited as received into the General Revenue Fund; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of

Business and Professional Regulation to adopt rules regarding the distribution of prescription drugs by blood establishments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Community & Military Affairs Subcommittee; and Health & Human Services Access Subcommittee; Representatives **K. Roberson, Adkins, Albritton, Baxley, Chestnut, Kreegel, Renuart, and A. Williams**—

**CS/CS/CS/HB 625**—A bill to be entitled An act relating to disposition of human remains; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; conforming provisions to changes in terminology; conforming a cross-reference; amending s. 406.52, F.S.; revising procedures for the anatomical board's retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from the requirement for notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring human remains received by the anatomical board to be accompanied by a certain permit; prohibiting the dissection, segmentation, or disarticulation of remains before approval by the district medical examiner; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; defining the term "valuable consideration"; allowing certain accredited schools and organizations to convey human remains within, into, or out of the state for medical or research purposes; requiring certain documentation before the use of human remains received in the state; providing exemptions for certain costs; providing an exemption; deleting provisions relating to procedures for the conveyance of plastinated human remains into or out of the state pursuant to their scheduled expiration; conforming terminology; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; amending ss. 382.002 and 497.005, F.S.; revising the definition of the term "final disposition" for purposes of the Florida Vital Statistics Act and the Florida Funeral, Cemetery, and Consumer Services Act to include anatomical donations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Representative **Ingram**—

**CS/HB 727**—A bill to be entitled An act relating to Medicaid managed care; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to extend or modify certain contracts with behavioral health care providers under specified circumstances; removing the expiration of the authority of the agency to impose fines against entities under contract with the department under specified circumstances; amending s. 409.912, F.S.;

directing the agency to calculate a medical loss ratio for managed care plans under specified circumstances and providing the method of calculation; amending s. 409.961, F.S.; specifying that contracts necessary to administer the Medicaid program are not rules and are not subject to the Administrative Procedure Act; amending s. 409.962, F.S.; including certain Medicare plans in the definition of the term "comprehensive long-term care plan"; including certain Medicare plans in the managed medical assistance program by amending the definition of the term "eligible plan"; amending s. 409.966, F.S.; modifying a preference for plans with in-state operations; deleting a definition; amending s. 409.967, F.S.; directing the agency to calculate a medical loss ratio for managed care plans under specified circumstances and providing the method of calculation; amending 409.973, F.S.; requiring a managed care plan to inform the enrollee of the importance of having a primary care provider; amending s. 409.974, F.S.; revising requirements for participation by certain Medicare plans; requiring contracts to meet certain standards; setting enrollment requirements; amending s. 409.981, F.S.; modifying requirements for participation by Medicare Advantage Special Needs Plans; requiring contracts to meet certain standards; establishing enrollment requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; PreK-12 Appropriations Subcommittee; and Finance & Tax Committee; Representatives **Corcoran and Costello**—

**CS/CS/CS/HB 859**—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; revising student eligibility requirements for participation in the program; increasing the tax credit cap amount applicable to the program; revising provisions relating to the reporting of test scores by private schools participating in the program; providing that a private school may choose to offer and administer statewide assessments at the school; revising Department of Education duties relating to site visits; requiring the department to provide at no cost statewide assessments and related materials to a school that makes such a request; providing conditions under which statewide assessments may be administered at a private school; requiring a private school to follow statutory requirements, State Board of Education rules, and district testing policies; requiring a school district to coordinate with the department to provide statewide assessments and related materials to a private school upon the department's request; providing school district responsibilities; revising the conditions upon which the Commissioner of Education may base the denial, suspension, or revocation of a private school's participation in the program or the suspension of scholarship fund payment; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; PreK-12 Appropriations Subcommittee; and K-20 Innovation Subcommittee; Representative **Adkins**—

**CS/CS/CS/HB 903**—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; clarifying that the Charter School Appeal Commission shall not be convened when denial of an application submitted by a high-performing charter school is appealed; requiring charter schools to maintain an Internet website that enables the public to obtain information regarding the school, its personnel, and its programs; requiring that information regarding any entity that owns, operates, or manages the school be posted on the website; revising provisions requiring compliance with statutes relating to instructional personnel compensation and contracts, workforce reductions, and instructional personnel and school administrator performance evaluations; providing guidelines for construing statutes for which compliance is required; providing requirements for the reimbursement of federal funds to a charter school by its sponsor; requiring charter school expenditures to comply with rules and regulations to be eligible for

reimbursement; requiring approval of the use of funds; establishing criteria for charter schools serving students with disabilities; authorizing certain charter schools serving students with disabilities to increase enrollment, expand grade levels served, submit a quarterly financial statement, consolidate the charters of certain charter schools, and receive certain modification or renewal of its charter; providing for calculation of an administrative fee; amending s. 1002.331, F.S., relating to high-performing charter schools; requiring the Commissioner of Education to annually review a high-performing charter school's eligibility for high-performing status; requiring declassification of high-performing charter schools that fail to maintain eligibility; amending s. 1002.332, F.S., relating to high-performing charter school systems; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; requiring declassification of high-performing charter school systems that fail to maintain eligibility; amending s. 1002.34, F.S.; conforming a cross-reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Appropriations Committee; and Health & Human Services Quality Subcommittee; Representatives **Hudson** and **Steube**—

**CS/CS/CS/HB 1263**—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; revising the purpose of the department; revising duties of the State Surgeon General; eliminating the Officer of Women's Health Strategy; revising divisions within the department; amending s. 20.435, F.S.; eliminating the Florida Drug, Device, and Cosmetic Trust Fund and the Nursing Student Loan Forgiveness Trust Fund as trust funds under the department; amending s. 154.05, F.S.; providing that two or more counties may combine for the operation of a county health department when such counties establish an interlocal agreement; providing criteria for such an agreement; specifying that an interlocal agreement may only be terminated at the end of a contract year; requiring the parties to give written notice to the department no less than 90 days before the termination; amending s. 215.5602, F.S.; conforming references; amending s. 381.001, F.S.; revising legislative intent; requiring the Department of Health to be responsible for the state public health system; requiring the department to provide leadership for a partnership involving federal, state, and local government and the private sector to accomplish public health goals; amending s. 381.0011, F.S.; revising duties and powers of the department; repealing s. 381.0013, F.S., relating to the department's authority to exercise the power of eminent domain; repealing s. 381.0014, F.S., relating to department rules that superseded regulations and ordinances enacted by other state departments, boards or commissions, or municipalities; repealing s. 381.0015, F.S., relating to judicial presumptions regarding the department's authority to enforce public health rules; amending s. 381.0016, F.S.; allowing a county to enact health regulations and ordinances consistent with state law; repealing s. 381.0017, F.S., relating to the purchase, lease, and sale of real property by the department; repealing s. 381.0025, F.S., relating to penalties; amending s. 381.003, F.S.; revising provisions relating to the department's responsibility for communicable disease prevention and control programs; amending s. 381.0031, F.S.; permitting the department to conduct studies concerning epidemiology of diseases of public health significance; specifying that the list of diseases of public health significance is based on the recommendations to be nationally notifiable by the Council of State and Territorial Epidemiologists and the Centers for Disease Control and Prevention; authorizing the department to expand the list if a disease emerges for which regular, frequent and timely information regarding individual cases is considered necessary for the prevention and control of a disease specific to Florida; amending s. 381.00315, F.S.; requiring the department to establish rules for conditions and procedures for imposing and releasing a quarantine; requiring specific provisions to be included in rules; providing that the rules established under this section supersede all rules enacted by other state agencies, boards, or political subdivisions; providing that a violation of the rules established under the section, a quarantine, or requirement adopted

pursuant to a declared public health emergency is a second-degree misdemeanor; providing penalties; repealing s. 381.0032, F.S., relating to epidemiological research; repealing s. 381.00325, F.S., relating to the Hepatitis A awareness program; amending s. 381.0034, F.S.; deleting an obsolete qualifying date reference; repealing s. 381.0037, F.S., relating to legislative findings and intent with respect to AIDS; amending s. 381.004, F.S.; deleting legislative intent; conforming cross-references; amending s. 381.0046, F.S.; requiring the department to establish dedicated HIV and AIDS regional and statewide minority coordinators; deleting the requirement that the statewide director report to the chief of the Bureau of HIV and AIDS within the department; amending s. 381.005, F.S.; deleting the requirement that hospitals implement a plan to offer immunizations for pneumococcal bacteria and influenza virus to all patients 65 years of age or older; amending s. 381.0051, F.S.; deleting legislative intent for the Comprehensive Family Planning Act; amending s. 381.0052, F.S., relating to the "Public Health Dental Program Act"; repealing unused department rulemaking authority; amending s. 381.0053, F.S., relating to the comprehensive nutrition program; repealing unused department rulemaking authority; repealing s. 381.0054, F.S., relating to healthy lifestyles promotion by the department; amending s. 381.0056, F.S., relating to the "School Health Services Act"; deleting legislative findings; deleting the requirement that school health programs funded by health care districts or entities be supplementary to and consistent with the act and other applicable statutes; amending s. 381.0057, F.S., relating to funding for school health services; deleting legislative intent; amending s. 381.00591, F.S.; permitting the department to apply for and become a National Environmental Laboratory Accreditation Program accreditation body; eliminating rulemaking authority of the department to implement standards of the National Environmental Laboratory Accreditation Program; amending s. 381.00593, F.S.; removing unused rulemaking authority relating to the public school volunteer health care practitioner program; amending s. 381.0062, F.S., relating to the "Comprehensive Family Planning Act"; deleting legislative intent; conforming a cross-reference; amending s. 381.0065, F.S., relating to regulation of onsite sewage treatment and disposal systems; deleting legislative intent; conforming provisions to changes made by the act; amending s. 381.0068, F.S.; deleting a date by which a technical review and advisory panel must be established within the department for assistance with rule adoption; deleting the authority of the chair of the panel to advise affected persons or the Legislature of the panel's position on legislation, proposed state policy, or other issue; amending s. 381.0072, F.S.; revising the definition of the term "food establishment" to include facilities participating in the United States Department of Agriculture Afterschool Meal Program; amending s. 381.00781, F.S.; eliminating authority of the department to annually adjust maximum fees according to the Consumer Price Index; amending s. 381.0086, F.S.; revising department rulemaking authority relating to migrant farmworkers and other migrant labor camp or residential migrant housing occupants; removing lighting and maintenance and operation of roads from the list of health and safety standards to be created by the department; conforming a cross-reference; amending s. 381.0098, F.S.; deleting legislative intent with respect to standards for the safe packaging, transport, storage, treatment, and disposal of biomedical waste; conforming a cross-reference; amending s. 381.0101, F.S.; deleting legislative intent regarding certification of environmental health professionals; providing for the Division Director for Emergency Preparedness and Community Support to serve on an environmental health professionals advisory board; conforming a cross-reference; amending s. 381.0203, F.S.; eliminating the regulation of drugs, cosmetics, and household products under ch. 499, F.S., from the pharmacy services program; eliminating the contraception distribution program at county health departments; amending s. 381.0261, F.S.; requiring the department, rather than the Agency for Health Care Administration, to publish a summary of the Florida Patient's Bill of Rights and Responsibilities on its Internet website; deleting the requirement to print and distribute the summary; repealing s. 381.0301, F.S., relating to the Centers for Disease Control and Prevention, the State University System, Florida medical schools, and the College of Public Health of the University of South Florida; deleting the requirement that the College of Public Health be consulted by state officials in the management of public health; repealing s. 381.0302, F.S.; eliminating the Florida Health Services

Corps; amending s. 381.0303, F.S.; eliminating the requirement that the Special Needs Shelter Interagency Committee submit recommendations to the Legislature; repealing s. 381.04015, F.S.; eliminating the Women's Health Strategy Office and Officer of Women's Health Strategy; amending s. 381.0403, F.S., relating to the "Community Hospital Education Act"; deleting legislative findings and intent; revising the mission of the program; requiring minimum funding for graduate education in family practice; deleting reference to an intent to establish a statewide graduate medical education program; amending s. 381.0405, F.S.; deleting an appropriation to the Office of Rural Health; amending s. 381.0406, F.S.; deleting unnecessary introductory language in provisions relating to rural health networks; repealing s. 381.0407, F.S., to eliminate the mandatory payment of claims from public health care providers and county health departments by managed care plans; repealing s. 381.045, F.S.; eliminating department authority to provide services to certain health care providers infected with Hepatitis B or HIV; amending s. 381.06015, F.S.; deleting obsolete provision that requires the department, the Agency for Health Care Administration, and private consortium members seeking private or federal funds to initiate certain program actions relating to the Public Cord Blood Tissue Bank; repealing s. 381.0605, F.S., relating to designating the Agency for Health Care Administration as the state agency to administer the Federal Hospital and Medical Facilities Amendments of 1964; eliminating authority of the Governor to provide for administration of the amendments; repealing ss. 381.1001-381.103, F.S., the Florida Community Health Protection Act; amending s. 381.4018, F.S.; deleting legislative findings and intent with respect to physician workforce assessment and development; conforming a cross-reference; repealing s. 381.60225, F.S., to eliminate background screening requirements for health care professionals and owners, operators, and employees of certain health care providers, services, and programs; repealing ss. 381.732-381.734, F.S., the "Healthy People, Healthy Communities Act"; amending s. 381.7352, F.S.; deleting legislative findings relating to the "Reducing Racial and Ethnic Health Disparities: Closing the Gap Act"; amending s. 381.7353, F.S.; removing the authority of the State Surgeon General to appoint an ad hoc committee to study certain aspects of racial and ethnic health outcome disparities and make recommendations; amending s. 381.7356, F.S.; deleting a provision requiring dissemination of Closing the Gap grant awards to begin on a date certain; amending s. 381.765, F.S.; repealing unused rulemaking authority relating to records and recordkeeping for department-owned property; repealing s. 381.77, F.S., to eliminate the annual survey of nursing home residents age 55 and under; repealing s. 381.795, F.S., to eliminate the requirement that the department establish a program of long-term community-based supports and services for individuals with traumatic brain or spinal cord injuries; amending s. 381.853, F.S.; deleting legislative findings relating to brain tumor research; repealing s. 381.855, F.S., which established the Florida Center for Universal Research to Eradicate Disease; repealing s. 381.87, F.S., to eliminate the osteoporosis prevention and education program; repealing s. 381.90, F.S., to eliminate the Health Information Systems Council; amending s. 381.91, F.S., relating to the Jesse Trice Cancer Program; revising legislative intent; amending 381.922, F.S.; conforming a reference; amending s. 383.011, F.S.; requiring the Department of Health to establish an interagency agreement with the Department of Children and Family Services for management of the Special Supplemental Nutrition program for Women, Infants, and Children; specifying responsibilities of each department; creating s. 383.141, F.S.; providing legislative findings; providing definitions; requiring that health care providers provide pregnant women with current information about the nature of the developmental disabilities tested for in certain prenatal tests, the accuracy of such tests, and resources for obtaining support services for Down syndrome and other prenatally diagnosed developmental disabilities; providing duties for the Department of Health concerning establishment of an information clearinghouse; creating an advocacy council within the Department of Health to provide technical assistance in forming the clearinghouse; providing membership for the council; providing duties of the council; providing terms for members of the council; providing for election of a chairperson and vice chairperson; providing meeting times for the council; requiring the members to serve without compensation or reimbursement for travel expenses; authorizing meetings by teleconference or other electronic means; requiring

the Department of Health to provide administrative support; repealing s. 385.210, F.S., the Arthritis Prevention and Education Act by a specific date; amending s. 391.016, F.S.; clarifying the purposes and functions of the Children's Medical Services program; requiring the coordination and maintenance of a medical home for participating children; amending s. 391.021, F.S.; revising definitions; amending s. 391.025, F.S.; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; revising the powers and duties of the department in administering the Children's Medical Services network; amending s. 391.028, F.S.; eliminating the central office and area offices of the Children's Medical Services program; authorizing the Director of Children's Medical Services to appoint necessary staff and contract with providers to establish a system to provide certain program activities on a statewide basis; amending s. 391.029, F.S.; specifying eligibility for services provided under the Children's Medical Services program; clarifying who may receive services under the program; deleting the requirement that the department determine financial and medical eligibility for program; deleting the requirement that the department determine the financial ability of parents to pay for services; eliminating discretion of the department to pay reasonable travel expenses; amending s. 391.0315, F.S.; deleting a prohibition against a child eligible under Title XIX or XXI of the Social Security Act from receiving services under the program until the child is enrolled in Medicaid or a Title XXI program; amending s. 392.51, F.S., relating to tuberculosis control; removing legislative findings and intent; amending s. 392.61, F.S.; eliminating the requirement that the department develop a methodology for distributing funds appropriated for community tuberculosis control programs; amending s. 392.62, F.S.; requiring a contractor to use licensed community hospitals and other facilities for the care and treatment of persons who have active tuberculosis or a history of noncompliance with prescribed drug regimens and require inpatient or other residential services; removing authority of the department to operate a licensed hospital to treat tuberculosis patients; requiring the tuberculosis control program to fund participating facilities; requiring facilities to meet specific conditions; requiring the department to develop a transition plan for the closure of A.G. Holley State Hospital; specifying content of transition plan; requiring submission of the plan to the Governor and Legislature; requiring full implementation of the transition plan by a certain date; amending s. 401.243, F.S.; repealing unused rulemaking authority governing the implementation of injury-prevention grant programs; amending s. 401.245, F.S.; repealing unused rulemaking authority relating to operating procedures for the Emergency Medical Services Advisory Council; amending s. 401.271, F.S.; repealing unused rulemaking authority relating to an exemption for the spouse of a member of the Armed Forces of the United States on active duty from certification renewal provisions while the spouse is absent from the state because of the member's active duty with the Armed Forces; repealing s. 402.45, F.S.; repealing unused rulemaking authority relating to the community resource mother or father program; amending s. 403.863, F.S.; directing the department to contract to perform state public water supply laboratory certification application review and evaluation and laboratory inspections; adding certain actions to the list of acts constituting grounds for which disciplinary actions may be taken under the section; amending ss. 400.914 and 409.256, F.S.; conforming references; repealing s. 458.346, F.S., which created the Public Sector Physician Advisory Committee and established its responsibilities; amending s. 462.19, F.S., relating to the renewal of licenses for practitioners of naturopathy; repealing unused rulemaking authority; amending s. 464.019, F.S., requiring the Board of Nursing to deny a program application for new prelicensure nursing education program while the existing program is on probationary status; repealing s. 464.0197, F.S., relating to state budget support for the Florida Center for Nursing; amending s. 464.208, F.S.; repealing unused rulemaking authority relating to background screening information of certified nursing assistants; repealing s. 466.00775, F.S., relating to unused rulemaking authority relating to dental health access and dental laboratory registration provisions; amending ss. 212.08, 499.003, 499.601, and 499.61, F.S.; updating departmental designation; amending s. 514.011, F.S.; revising the definition of "public bathing place"; amending s. 514.021, F.S.; restricting rulemaking authority of the department; limiting scope of standards for public pools and public bathing places; prohibiting the department from

adopting by rule any regulation regarding the design, alteration, or repair of a public pool or public bathing; eliminating authority of the department to review plans, issue approvals, and enforce occupancy provisions of the Florida Building Code; amending s. 514.023, F.S.; adding public bathing places to the provisions allowing sampling of beach waters to determine sanitation and allowing health advisories to be issued for elevated levels of bacteria in such waters; deleting an obsolete provision; amending s. 514.025, F.S.; requiring the department to review applications and plans for the construction or placement of public pools or bathing places; providing for the department to review applications and plans if no qualified staff are employed at the county health department; establishing that the department is responsible to monitor water quality in public pools and bathing places; amending s. 514.03, F.S.; permitting local governments or local enforcement districts to determine compliance with general construction provisions of the Florida Building Code; permitting local governments or local enforcement districts to conduct plan reviews and inspections of public pools and bathing places to determine compliance; eliminating an application process for review of building plans for a public pool or bathing place by the department; amending s. 514.031, F.S.; requiring a valid permit from the department to operate a public pool; revising the list of documents that must accompany an application for a permit to operate a public pool; providing the department with authority to review, approve, and deny an application for a permit to operate a public pool; amending s. 514.033, F.S.; deleting authority of the department to establish a fee schedule; requiring fees collected by the department or county health department to be deposited into the Grants and Donations Trust Fund or the County Health Department Trust Fund; amending s. 514.05, F.S.; requiring all amounts collected to be deposited in the Grants and Donations Trust Fund or the County Health Department Trust Fund; granting the county health department the authority to close a public pool that is not in compliance with ch. 514, F.S., or applicable rules; amending s. 514.06, F.S.; deeming a public pool or bathing place to present a significant risk to public health by failing to meet water quality and safety to be a public nuisance; allowing for a public nuisance to be abated or enjoined; amending s. 633.115, F.S.; making conforming changes; amending s. 1009.66, F.S.; reassigning responsibility for the Nursing Student Loan Forgiveness Program from the Department of Health to the Department of Education; amending s. 1009.67, F.S.; reassigning responsibility for the nursing scholarship program from the Department of Health to the Department of Education; providing type two transfers of the programs; providing for transfer of a trust fund; providing applicability to contracts; authorizing transfer of funds and positions between departments; requiring the Division of Medical Quality and Assurance to create a plan to improve efficiency of the function of the division; directing the division to take certain actions in creating the plan; directing the division to address particular topics in the plan; requiring all executive branch agencies to assist the department in creating the plan; requesting all other state agencies to assist the department in creating the plan; amending ss. 154.503, 381.0041, 384.25, 392.56, 395.1027, 411.203, 456.032, 513.10, 768.28, and 775.0877, F.S.; conforming cross-references; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Appropriations Committee; Health & Human Services Committee; and Judiciary Committee; Representatives **Dorworth, Adkins, Brodeur, Campbell, Costello, Julien, and Porth**—

**CS/CS/CS/HB 1355**—A bill to be entitled An act relating to protection of vulnerable persons; amending s. 39.201, F.S.; revising language concerning child abuse reporting; requiring the Department of Children and Family Services to provide for web-chat and update other web-based forms for reporting child abuse, abandonment, or neglect; requiring a study on the use of short message format for the central abuse hotline; requiring the development of a public awareness campaign for the central abuse hotline; requiring the collection of statistical reports on child abuse and child sexual abuse on campuses of colleges and universities; amending s. 39.205, F.S.; increasing criminal penalties for knowingly and willfully failing to report known or suspected child abuse, abandonment, or neglect, or knowingly and

willfully preventing another person from doing so; requiring specified educational institutions and their law enforcement agencies to report known or suspected child abuse, abandonment, or neglect in certain circumstances; providing financial penalties for violations; providing for challenges to findings of determinations; providing for a presumption in certain circumstances; creating s. 39.309, F.S.; requiring the department to develop and implement a program of social services and rehabilitative services for the parent or legal custodian of a child seeking assistance; amending s. 409.1671, F.S.; requiring eligible lead community-based providers to have alternative response to protective investigations programs pursuant to specified provisions; creating s. 796.036, F.S.; providing for upward reclassification of certain prostitution offenses involving minors; amending s. 960.198, F.S.; providing for denial of relocation payment for a domestic violence claim if the Department of Legal Affairs has previously paid a sexual battery relocation claim to the same victim for the same incident; creating s. 960.199, F.S.; providing for relocation assistance payments to victims of sexual battery; providing criteria for awards; providing for denial of relocation payment for a sexual battery claim if the department has previously paid a domestic violence relocation claim to the same victim for the same incident; providing an appropriation; amending s. 1012.98, F.S.; providing a continuing education requirement for certain teachers on identifying and reporting child abuse and neglect; providing an appropriation; authorizing a specified numbers of full-time equivalent positions with associated salary rates within the Department of Children and Family Services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; Rules & Calendar Committee; and K-20 Competitiveness Subcommittee; Representative **Stargel**—

**CS/CS/CS/HB 1403**—A bill to be entitled An act relating to high school athletics; amending s. 1002.20, F.S.; conforming provisions; amending s. 1006.20, F.S.; authorizing high schools, including charter schools, virtual schools, and home education cooperatives, to become members of the FHSAA; requiring the FHSAA to adopt bylaws to allow a student who transfers schools to be eligible to participate in athletics if certain conditions are met; authorizing certain penalties for a recruiting violation; requiring the FHSAA to adopt bylaws to regulate investigators and sanction coaches who commit major violations; specifying sanctions and procedures; requiring the FHSAA to adopt bylaws establishing the process and standards by which determinations of eligibility are made; authorizing the FHSAA to adopt bylaws providing certain procedural safeguards; prohibiting FHSAA bylaws from prospectively limiting the competition of certain student athletes and from unfairly punishing student athletes for violations perpetrated by a teammate, coach, or administrator; providing requirements for the forfeiture of contests under certain conditions; requiring an expedited appeals process on determinations of ineligibility; authorizing a school or student athlete filing an appeal to present information and evidence; providing requirements for de novo decisions on appeal; deleting provisions relating to rule adoption; amending s. 1012.468, F.S.; providing background screening exceptions for certain investigators for the FHSAA; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; PreK-12 Appropriations Subcommittee; and K-20 Innovation Subcommittee; Representative **Stargel**—

**CS/CS/HB 7059**—A bill to be entitled An act relating to acceleration options in public education; creating s. 1002.3105, F.S., relating to Academically Challenging Curriculum to Enhance Learning (ACCEL) options, to provide eligible public school students educational options that provide academically challenging curriculum or accelerated instruction; providing school principal and school district determined student eligibility and procedural requirements; requiring a process by which a parent may request student participation, including the execution of a performance



contract in certain instances; amending ss. 1001.64 and 1001.65, F.S.; conforming provisions relating to dual enrollment articulation agreements between Florida College System institutions and school districts; amending ss. 1002.20 and 1002.41, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring school districts to notify parents of options for early or accelerated high school graduation; amending s. 1003.428, F.S.; conforming provisions; creating s. 1003.4281, F.S., relating to early high school graduation; defining the term "early graduation"; requiring that each school district adopt a policy that provides a high school student with the option of graduating early; requiring parental notification of student eligibility; providing for receipt of an initial Florida Bright Futures Scholarship Program award; providing requirements for funding high school credits; amending s. 1003.4295, F.S.; requiring that students be advised of acceleration options; authorizing all students to participate in the Credit Acceleration Program; amending s. 1003.436, F.S.; conforming provisions; amending s. 1003.437, F.S.; specifying that the middle and high school grading system applies to the course level; amending s. 1003.491, F.S.; revising provisions relating to the Florida Career and Professional Education Act; revising the basis for the strategic plan to address workforce demands; providing for coordination to promote and support career-themed courses that lead to industry certification; amending s. 1003.492, F.S.; requiring secondary schools offering career-themed courses to coordinate with the appropriate industry; amending s. 1003.493, F.S.; revising provisions relating to career and professional academies; defining the term "career-themed" course; amending s. 1003.4935, F.S.; requiring district school boards to include plans to implement career-themed courses; repealing s. 1007.235, F.S., relating to district interinstitutional articulation agreements; amending s. 1007.263, F.S.; eliminating an exemption from Florida College System admission requirements for certain secondary students; amending s. 1007.27, F.S., relating to articulated acceleration mechanisms; deleting duplicative language relating to early admission; amending s. 1007.271, F.S., relating to dual enrollment programs; providing student eligibility requirements and restrictions for enrollment and continued enrollment in dual enrollment courses; authorizing a participation limit based upon capacity; providing requirements for faculty members providing instruction in college credit dual enrollment courses; providing curriculum standards for college credit dual enrollment; clarifying district school board duties; establishing a minimum and maximum number of college credit hours for participation in an early admission program; providing home education student eligibility requirements for enrollment in dual enrollment courses; requiring a home education articulation agreement; providing requirements for the development and contents of a school district and Florida College System institution dual enrollment articulation agreement; requiring the Department of Education to develop an electronic submission system for dual enrollment articulation agreements and to review agreements for compliance; authorizing dual enrollment articulation agreements with state universities, eligible independent colleges and universities, and private secondary schools; repealing s. 1007.272, F.S., relating to joint dual enrollment and advanced placement instruction; amending s. 1008.22, F.S.; requiring that the end-of-course assessment in Algebra I be administered four times annually; amending s. 1008.25, F.S.; revising legislative intent relating to public school student progression; requiring the comprehensive student progression plan to include information for students and parents on accelerated educational options; deleting a technical assistance responsibility of the department; amending s. 1009.25, F.S.; conforming a cross-reference; amending ss. 1009.531 and 1009.532, F.S.; providing requirements for the evaluation of certain students for initial and renewal awards under the Florida Bright Futures Scholarship Program; amending s. 1011.61, F.S.; providing reporting requirements for school districts for a full-time equivalent student in courses requiring certain statewide, standardized end-of-course assessments and for a student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course; amending s. 1011.62, F.S.; providing for calculation of additional full-time equivalent membership based on completion of career-themed courses; providing a calculation of additional full-time equivalent membership based on early high school graduation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Appropriations Committee; and Health & Human Services Committee; Representative **Gonzalez**—

**CS/HB 7133**—A bill to be entitled An act relating to quality improvement initiatives for entities regulated by the Agency for Health Care Administration; amending s. 394.4574, F.S.; providing responsibilities of the Department of Children and Family Services and mental health service providers for mental health residents who reside in assisted living facilities; directing the agency to impose contract penalties on Medicaid prepaid health plans under specified circumstances; directing the department to impose contract penalties on mental health service providers under specified circumstances; directing the department and the agency to enter into an interagency agreement for the enforcement of their respective responsibilities and procedures related thereto; amending s. 395.1055, F.S.; revising provisions relating to agency rules regarding standards for infection control, housekeeping, and sanitary conditions in a hospital; requiring housekeeping and sanitation staff to employ and document compliance with specified cleaning and disinfecting procedures; authorizing imposition of administrative fines for noncompliance; amending s. 400.0078, F.S.; requiring specified information regarding the confidentiality of complaints to the State Long-Term Care Ombudsman Program to be provided to residents of a long-term care facility upon admission to the facility; amending s. 408.05, F.S.; directing the agency to collect, compile, analyze, and distribute specified health care information for specified uses; providing for the agency to release data necessary for the administration of the Medicaid program to quality improvement collaboratives for specified purposes; amending s. 408.802, F.S.; providing that the provisions of part II of ch. 408, F.S., the Health Care Licensing Procedures Act, apply to assisted living facility administrators; amending s. 408.820, F.S.; exempting assisted living facility administrators from specified provisions of part II of ch. 408, F.S., the Health Care Licensing Procedures Act; amending s. 409.212, F.S.; increasing a limitation on additional supplementation a person who receives optional supplementation may receive; creating s. 409.986, F.S.; providing definitions; directing the agency to establish and implement methodologies to adjust Medicaid rates for hospitals, nursing homes, and managed care plans; providing criteria for and limits on the amount of Medicaid payment rate adjustments; directing the agency to seek federal approval to implement a performance payment system; providing for implementation of the system in fiscal year 2015-2016; authorizing the agency to appoint a technical advisory panel; providing applicability of the performance payment system to general hospitals, skilled nursing facilities, and managed care plans and providing criteria therefor; amending s. 415.1034, F.S.; providing that specified persons who have regulatory responsibilities over or provide services to persons residing in certain facilities must report suspected incidents of abuse to the central abuse hotline; amending s. 429.02, F.S.; revising definitions applicable to the Assisted Living Facilities Act; amending s. 429.07, F.S.; requiring that an assisted living facility be under the management of a licensed assisted living facility administrator; providing for a reduced number of monitoring visits for an assisted living facility that is licensed to provide extended congregate care services under specified circumstances; providing for a reduced number of monitoring visits for an assisted living facility that is licensed to provide limited nursing services under specified circumstances; amending s. 429.075, F.S.; providing additional requirements for a limited mental health license; removing specified assisted living facility requirements; authorizing a training provider to charge a fee for the training required of facility administrators and staff; revising provisions for application for a limited mental health license; creating s. 429.0751, F.S.; providing requirements for an assisted living facility that has mental health residents; requiring the assisted living facility to enter into a cooperative agreement with a mental health care service provider; providing for the development of a community living support plan; specifying who may have access to the plan; requiring documentation of mental health resident assessments; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; providing fines and penalties for specified violations by an assisted living facility; creating s.

429.231, F.S.; directing the Department of Elderly Affairs to create an advisory council to review the facts and circumstances of unexpected deaths in assisted living facilities and of elopements that result in harm to a resident; providing duties; providing for appointment and terms of members; providing for meetings; providing a report; providing for per diem and travel expenses; amending s. 429.34, F.S.; providing a schedule for the inspection of assisted living facilities; providing exceptions; providing for fees for additional inspections after specified violations; creating s. 429.50, F.S.; prohibiting a person from performing the duties of an assisted living facility administrator without a license; providing qualifications for licensure; providing exceptions; providing license and license renewal fees; providing grounds for revocation or denial of licensure; providing rulemaking authority; authorizing the agency to issue a temporary license to an assisted living facility administrator under certain conditions and for a specified period of time; amending s. 429.52, F.S.; providing training, competency testing, and continuing education requirements for assisted living facility administrators and license applicants; specifying entities that may provide training; providing a definition; requiring assisted living facility trainers to keep certain training records and submit those records to the agency; providing rulemaking authority; amending s. 429.54, F.S.; requiring the Agency for Health Care Administration, the Department of Elderly Affairs, the Department of Children and Family Services, and the Agency for Persons with Disabilities to develop or modify electronic information systems and other systems to ensure efficient communication regarding regulation of assisted living facilities, subject to the availability of funds; providing an appropriation and authorizing positions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## Reference

- CS/CS/HB 119—Referred to the Calendar of the House.
- CS/CS/HB 337—Referred to the Calendar of the House.
- CS/CS/HB 367—Referred to the Calendar of the House.
- CS/CS/CS/HB 711—Referred to the Calendar of the House.
- CS/CS/CS/HB 859—Referred to the Calendar of the House.
- CS/CS/HB 885—Referred to the Calendar of the House.
- CS/CS/CS/HB 903—Referred to the Calendar of the House.
- CS/CS/CS/HB 933—Referred to the Calendar of the House.
- CS/HB 963—Referred to the Calendar of the House.
- CS/CS/CS/HB 1205—Referred to the Calendar of the House.
- CS/HB 1207—Referred to the Calendar of the House.
- CS/CS/CS/CS/HB 1261—Referred to the Calendar of the House.
- CS/CS/CS/HB 1263—Referred to the Calendar of the House.
- CS/CS/CS/HB 1399—Referred to the Calendar of the House.
- CS/CS/CS/HB 1403—Referred to the Calendar of the House.
- CS/CS/HB 7117—Referred to the Calendar of the House.

## House Resolutions Adopted by Publication

At the request of Rep. Fresen—

**HR 9093**—A resolution designating July 2012 as "Human Trafficking Awareness Month" in the State of Florida.

WHEREAS, liberty and human rights are fundamental principles of the United States, and

WHEREAS, human trafficking is a form of modern day slavery exercised through forced labor, sexual exploitation, debt bondage, involuntary servitude, and forced marriage, and

WHEREAS, victims of human trafficking include children, United States citizens, residents, and foreign nationals, and

WHEREAS, victims of human trafficking suffer emotional, psychological, and physical horrors at the hands of their captors, and

WHEREAS, human traffickers use physical and psychological tactics, including coercion and violence against the victims and their families, control of the victims' money, and threats of deportation or imprisonment if the victims reach out for assistance or escape, to instill fear in their victims and keep them enslaved, and

WHEREAS, human trafficking is the fastest growing criminal industry in the world and is tied with arms dealing as the second largest criminal industry in the world, and

WHEREAS, human traffickers view Florida as one of the most attractive destinations and transit points for their victims, and

WHEREAS, Florida has the third highest call volume to the National Human Trafficking Resource Center, and

WHEREAS, the people of Florida are committed to protecting the vulnerable and ending human trafficking through continued prevention, prosecution, education, and awareness, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That January 2012 is designated as "Human Trafficking Awareness Month" in the State of Florida and all Floridians are encouraged to educate themselves about the dangers of human trafficking.

—was read and adopted by publication pursuant to Rule 10.17.

At the request of Rep. Grant—

**HR 9097**—A resolution designating October 20, 2012, as "Lee Roy Selmon Day" in Florida.

WHEREAS, Lee Roy Selmon joined the University of Oklahoma football team in 1972 and soon proved to be an outstanding defensive end, helping the team win back-to-back national championships in 1974 and 1975, and in recognition of his accomplishments, he received the Lombardi Award and the Outland Trophy in 1975 and was inducted into the College Football Hall of Fame in 1988, and

WHEREAS, as an expansion team for the National Football League in 1976, the Tampa Bay Buccaneers were granted the first pick of that year's NFL draft and selected Lee Roy Selmon, who was dedicated to the team for his entire nine-year career, during which he achieved 78.5 sacks and 742 tackles, was selected for the Pro Bowl six consecutive times, was named NFC Defensive Lineman of the Year four times, and was named 1979's NFL Defensive Player of the Year, and

WHEREAS, his exemplary performance as a professional football player earned Lee Roy Selmon induction into the Pro Football Hall of Fame in 1995, and

WHEREAS, after retiring from the NFL in 1986, Lee Roy Selmon made Tampa his home, where he opened a chain of eight Lee Roy Selmon's Restaurants throughout Tampa Bay and the surrounding areas, was recognized with the renaming of the Southern Crosstown Expressway as the Lee Roy Selmon Expressway in his honor, and served as Athletic Director of the University of South Florida from 2001-2004, where he led the university's football program to become part of Conference USA and, subsequently, the Big East Conference, and

WHEREAS, Lee Roy Selmon exemplified a life of servitude through years of dedication to local communities, evidenced by his recognition as One of America's Ten Outstanding Young Men by the United States Jaycees in 1979; Kiwanis Citizen of the Year for District 8, Florida West Coast, and Tampa Bay Buccaneers' Man of the Year in 1980; winner of the All Pro 1982-1983 Service

to Mankind Award by the Sertoma Club of Hillsborough, North Carolina, in 1982; and winner of the 2009 Stetson University College of Law Tower Award, and

WHEREAS, after suffering a stroke, Lee Roy Selmon was hospitalized and later passed away on September 4, 2011, and

WHEREAS, the Tampa Bay community will remember this gentle giant as not only a Hall of Fame football player, but a Hall of Fame man, working tirelessly to bring the football programs of both the Tampa Bay Buccaneers and the University of South Florida into national prominence and continually investing in his community through his many acts of service and generosity, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That October 20, 2012, is designated as "Lee Roy Selmon Day" in the State of Florida.

—was read and adopted by publication pursuant to Rule 10.17.

## Reports of Standing Committees and Subcommittees

### Received February 27:

The Economic Affairs Committee reported the following favorably:  
CS/HB 119 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 119 was laid on the table.

The Rules & Calendar Committee reported the following favorably:  
SB 2058

The above bill was placed on the Calendar of the House.

The Rules & Calendar Committee reported the following favorably:  
HB 7127

The above bill was placed on the Calendar of the House.

### Received February 28:

The Health & Human Services Committee reported the following favorably:  
CS/HB 309

The above committee substitute was placed on the Calendar of the House.

The Health & Human Services Committee reported the following favorably:  
CS/CS/HB 363 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 363 was laid on the table.

The Health & Human Services Committee reported the following favorably:  
CS/HB 475 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 475 was laid on the table.

The Health & Human Services Committee reported the following favorably:  
HB 519

The above bill was placed on the Calendar of the House.

The Health & Human Services Committee reported the following favorably:  
CS/CS/HB 625 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 625 was laid on the table.

The Health & Human Services Committee reported the following favorably:  
HB 727 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 727 was laid on the table.

The Education Committee reported the following favorably:  
CS/CS/HB 859 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 859 was laid on the table.

The Education Committee reported the following favorably:  
CS/CS/HB 903 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 903 was laid on the table.

The Health & Human Services Committee reported the following favorably:  
CS/HB 1195

The above committee substitute was placed on the Calendar of the House.

The Health & Human Services Committee reported the following favorably:  
CS/CS/HB 1263 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 1263 was laid on the table.

The Health & Human Services Committee reported the following favorably:  
CS/HB 1313

The above committee substitute was placed on the Calendar of the House.

The Appropriations Committee reported the following favorably:  
CS/CS/HB 1355 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 1355 was laid on the table.

The Education Committee reported the following favorably:  
CS/CS/HB 1403 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 1403 was laid on the table.

The Education Committee reported the following favorably:  
CS/HB 7059 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 7059 was laid on the table.

The Appropriations Committee reported the following favorably:  
HB 7129

The above bill was placed on the Calendar of the House.

The Appropriations Committee reported the following favorably:  
HB 7133 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 7133 was laid on the table.

### **Excused**

Rep. Clarke-Reed, Rep. McKeel after 4:53p.m., Rep. O'Toole after 1:56 p.m.

### **Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 5:57 p.m., to reconvene at 10:00 a.m., Wednesday, February 29, 2012, or upon call of the Chair.

## CHAMBER ACTIONS ON BILLS

Tuesday, February 28, 2012

CS/HB	5 — Read 2nd time; Placed on 3rd reading	CS/CS/CS/HB	725 — Read 2nd time; Amendment 741333 adopted; Amendment 907581 adopted; Amendment 919681 adopted; Amendment 512901 Failed; Amendment 886269 adopted; Amendment 289507 adopted; Amendment 099489 adopted; Placed on 3rd reading
HB	13 — Read 2nd time; Placed on 3rd reading		
CS/CS/HB	19 — Read 2nd time; Placed on 3rd reading		
CS/HB	37 — Read 2nd time; Placed on 3rd reading		
CS/HB	133 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	751 — Read 2nd time; Amendment 441559 adopted; Amendment 392293 adopted; Amendment 891537 adopted; Placed on 3rd reading
CS/HB	173 — Read 2nd time; Placed on 3rd reading		
CS/CS/HB	213 — Read 2nd time; Amendment 049949 adopted; Amendment 013829 adopted; Amendment 324783 adopted; Placed on 3rd reading	CS/CS/CS/HB	799 — Read 2nd time; Placed on 3rd reading
		CS/HB	867 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	233 — Read 2nd time; Placed on 3rd reading	CS/HB	869 — Read 2nd time; Placed on 3rd reading
CS/HB	267 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	921 — Read 2nd time; Amendment 336537 adopted; Placed on 3rd reading
CS/CS/CS/HB	319 — Read 2nd time; Amendment 316471 adopted; Amendment 620849 adopted; Placed on 3rd reading	CS/CS/HB	937 — Read 2nd time; Placed on 3rd reading
		CS/HB	945 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	431 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	947 — Read 2nd time; Amendment 042231 adopted; Placed on 3rd reading
CS/HB	435 — Read 2nd time; Placed on 3rd reading		
CS/CS/CS/HB	455 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	959 — Read 2nd time; Placed on 3rd reading
CS/CS/CS/CS/HB	481 — Read 2nd time; Placed on 3rd reading	HB	975 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	565 — Temporarily postponed, on 3rd Reading	CS/CS/HB	979 — Read 2nd time; Placed on 3rd reading
CS/HB	575 — Read 2nd time; Amendment 919959 adopted; Placed on 3rd reading	CS/CS/CS/HB	999 — Read 2nd time; Amendment 303655 adopted; Placed on 3rd reading
		CS/CS/HB	1021 — Read 2nd time; Amendment 933829 adopted; Placed on 3rd reading
HB	577 — Read 2nd time; Placed on 3rd reading		
CS/HB	593 — Read 2nd time; Placed on 3rd reading	CS/HB	1033 — Read 2nd time; Placed on 3rd reading
HB	601 — Read 2nd time; Placed on 3rd reading	CS/HB	1059 — Read 2nd time; Placed on 3rd reading
HB	605 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	1081 — Read 2nd time; Placed on 3rd reading
CS/HB	609 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	1099 — Read 2nd time; Placed on 3rd reading
HM	611 — Read 2nd time; Adopted; YEAS 76, NAYS 35	CS/CS/HB	1101 — Read 2nd time; Amendment 658053 adopted; Amendment 177327 adopted; Amendment 269497 adopted; Amendment 504753 adopted; Amendment 303525 adopted; Amendment 561237 adopted; Amendment 111633 adopted; Placed on 3rd reading
CS/HB	619 — Read 2nd time; Placed on 3rd reading		
CS/HB	637 — Read 2nd time; Placed on 3rd reading	CS/HB	1117 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	651 — Temporarily postponed, on 2nd Reading	CS/CS/CS/HB	1163 — Read 2nd time; Amendment 976563 adopted; Placed on 3rd reading
HB	665 — Read 2nd time; Placed on 3rd reading		
CS/CS/HB	681 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	1173 — Read 2nd time; Placed on 3rd reading
CS/HB	699 — Read 2nd time; Placed on 3rd reading	HB	1183 — Read 2nd time; Placed on 3rd reading

CS/CS/HB	1223 — Read 2nd time; Amendment 185803 adopted; Amendment 199603 adopted; Amendment 758253 adopted; Amendment 610325 adopted; Amendment 829261 adopted; Amendment 836377 adopted; Placed on 3rd reading	CS/HB	1481 — Read 2nd time; Amendment 222779 adopted; Placed on 3rd reading
CS/HB	1255 — Read 2nd time; Placed on 3rd reading	HB	1483 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1299 — Read 2nd time; Placed on 3rd reading	CS/HB	1495 — Read 2nd time; Placed on 3rd reading
HB	1301 — Read 2nd time; Placed on 3rd reading	HB	1513 — Read 2nd time; Placed on 3rd reading
CS/HB	1323 — Read 2nd time; Amendment 281145 adopted; Placed on 3rd reading	HB	4175 — Read 2nd time; Placed on 3rd reading
HB	1325 — Read 2nd time; Placed on 3rd reading	CS/HB	7047 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1343 — Read 2nd time; Placed on 3rd reading	CS/HB	7085 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1383 — Read 2nd time; Placed on 3rd reading	CS/HB	7097 — Read 2nd time; Amendment 581585 adopted; Amendment 473475 Failed; Placed on 3rd reading
CS/HB	1417 — Read 2nd time; Placed on 3rd reading	HB	7121 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1419 — Read 2nd time; Amendment 735981 adopted; Amendment 599173 adopted; Amendment 246719 adopted; Amendment 690339 adopted; Amendment 241373 adopted; Placed on 3rd reading	HB	7125 — Read 2nd time; Placed on 3rd reading

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